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THESIS

**HUMAN TRAFFICKING IN SOUTHEAST ASIA AND U.S.
NATIONAL SECURITY**

by

Joshua H. Snoke

March 2015

Thesis Advisor:
Second Reader:

Erik Dahl
Tristan Mabry

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**HUMAN TRAFFICKING IN SOUTHEAST ASIA AND U.S. NATIONAL
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Joshua H. Snoke
Lieutenant, United States Navy
B.S., University of Maryland, 2008

Submitted in partial fulfillment of the
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March 2015**

Author: Joshua H. Snoke

Approved by: Erik Dahl
Thesis Advisor

Tristan Mabry
Second Reader

Mohammed Hafez
Chair, Department of National Security Affairs

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ABSTRACT

The United States government finds human trafficking to be an important subject and is placing increasing focus on the issue. The Southeast Asian portion of the Western Pacific encompasses a substantial portion of global trafficking, much of which has a final destination in the United States. This thesis asks the following question: How does trafficking in persons (TIP) affect U.S. national security interests and regional stability in Southeast Asia? To answer this question, this thesis examines how trafficking affects U.S. national security; the importance of combatting human trafficking in Southeast Asia to regional stability and to U.S. national security; levels of involvement the United States might seek to address the problem of human trafficking in Southeast Asia; and the possibility of an increase in maritime security efforts and interagency coordination in Southeast Asia to effectively combat human trafficking. U.S. national security is tied to regional stability through effects on economic interdependence and state partnerships. TIP threatens both, through its influence in transnational organized crime and the misuse of humans as an illegal resource. The thesis concludes by considering possible solutions to the problem that could be adopted by the United States military.

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LIST OF ACRONYMS AND ABBREVIATIONS

AIC	Australian Institute of Criminology
ASEAN	Association of Southeast Asian Nations
CIA	Central Intelligence Agency
DHS	Department of Homeland Security
DIA	Defense Intelligence Agency
DOD	Department of Defense
DOS	Department of State
DTO	Drug Trafficking Organizations
FBI	Federal Bureau of Investigation
ICE	U.S. Customs and Immigration Enforcement
INA	Immigration and Nationality Act of 1952
JIC/J(N)RIC	National or Regional Joint Intelligence Center
JIATF	Joint Interagency Task Force
ODNI	Office of the Director of National Intelligence
OPM	United States Office of Personnel Management
OPSEC	Operations Security
OSS	Office of Strategic Services
PACOM	United States Pacific Command
PIDC	Pacific Immigration Director's Conference
PITF	Interagency Task Force to Monitor and Combat Trafficking
PRC	People's Republic of China
QDR	Quadrennial Defense Review
TOC	Transnational Organized Crime
TVPA	Trafficking Victims Protection Act of 2000
USCG	U.S. Coast Guard

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I. INTRODUCTION

This thesis addresses elements of human trafficking in Southeast Asia, and what is being done to combat them. This thesis will examine how trafficking in persons (TIP) affects U.S. national security and regional stability in Southeast Asia. There is a disconnection between U.S. TIP policy directives and their implementation within the region; the Department of Defense (DOD) is the predominant force available in the region, but it is underutilized in the fight against trafficking.

Toward the resolution of this disconnect, this thesis examines the regional elements of TIP to discern what efforts might best be suited to combat each. This thesis provides a background of TIP, explores the specific factors of TIP in Southeast Asia, establishes implications for U.S. national security and regional stability, outlines the current state of efforts by the United States to combat TIP, and formulates recommendations for the way forward.

As the Asia-Pacific region is a new area of focus for United States policy-makers, efforts to combat TIP in Southeast Asia are an increasingly important and under-studied part of the problem. Trafficking impacts a government's strength, economy, public health, and human rights. Trafficking in Southeast Asia occurs in the context of migrant and refugee movement in conjunction with economic and government instability. Further, the trafficking phenomenon in Southeast Asia is characterized by the involvement of transnational organized criminal groups, which undermine the security of the countries involved, and threaten basic human security.

Chapter I explains the definitions and types of trafficking, and includes a literature review. By examining definitions, universal and regionally specific causes, and other factors, this thesis attempts to explain the current regional trafficking situation, and offers potential avenues for solution. Existing research currently focuses on institutions established by states or via international government organizations (IGOs) and non-government organizations (NGOs), and suggests that the answers lie in increased support to said institutions. This thesis finds this approach is pertinent in addressing causes of

human trafficking in Southeast Asia and the Western Pacific, but not a complete answer, as current institutions have proven to be only somewhat successful.

A. MAJOR RESEARCH QUESTION

This thesis asks the following question: How does TIP affect U.S. national security interests and regional stability in Southeast Asia? To answer this question, this thesis examines how trafficking affects U.S. national security; the importance of combatting human trafficking in Southeast Asia to regional stability and to U.S. national security; levels of involvement the United States might seek to address the problem of human trafficking in that area; and how the possibility of an increase in maritime security efforts and interagency coordination in Southeast Asia may effectively combat human trafficking. U.S. national security is tied to regional stability through effects on economic interdependence and state partnerships. TIP threatens U.S. national security interests and regional stability by its influence in transnational organized crime and the supply and demand of humans as a resource.

B. IMPORTANCE

Human trafficking is an important element of U.S. national interests in Southeast Asia. TIP has a broad impact on states and their populations, in terms of both practical and humanitarian concerns. Trafficking affects basic human rights and individual security through violence, poor living and transportation conditions, and stress placed on victims and their families. TIP affects the national security of the United States and states within the region as it causes a substantial strain on economic, bureaucratic, and human resources. Human trafficking also fuels transnational organized crime (TOC) through the payment of transportation fees, and the sale of slaves for sex and labor.

Policy-makers agree that TIP affects basic human rights and security; President Barack Obama's official statement on human trafficking addresses it as modern slavery and calls on every person, business, and community, declaring that it "tears at our social

fabric...endangers public health and fuels violence and organized crime.”¹ Secretary of State John F. Kerry remarked at the release of the 2014 Annual Trafficking in Persons Report that the United States has a responsibility to reduce TIP, “not just on behalf of the more than 44,000 survivors who have been identified in the past year, but also for the more than 20 million victims of trafficking who have not.”² Further, the official response to TIP from the U.S. Department of State (DOS) affirms that combatting trafficking “is a critical and worthwhile endeavor that can yield incredible success and progress. For this reason, the United States engages in robust interagency coordination and advocates that other foreign governments undertake interagency coordination efforts as well.”³

Human trafficking causes a great deal of strain on the region, as the Southeast Asian portion of the Western Pacific encompasses a substantial portion of global trafficking, much of which has a final destination in the United States. In a recent testimony before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs, Principal Deputy Assistant Secretary of the Bureau of East Asian and Pacific Affairs Scot Marciel, stated that “human trafficking remains a visible and pressing concern in East Asia and the Pacific.”⁴

Trafficking concerns are often globally and regionally interconnected between human trafficking, drugs, weapons, and many other tertiary illicit activities such as black market goods and endangered animal smuggling. According to the Australian Institute of Criminology (AIC), “there is emerging evidence that the Pacific Island region is

¹“Fact Sheet: the Obama Administration Announces Efforts to Combat Human Trafficking at Home and Abroad,” The White House, Office of the Press Secretary, September 25, 2012, <https://www.whitehouse.gov/the-press-office/2012/09/25/fact-sheet-obama-administration-announces-efforts-combat-human-trafficki>.

²John F. Kerry, Secretary of State, “Remarks at the Release of the 2014 Trafficking in Persons Report; Ben Franklin Room,” Washington, DC. June 20, 2014, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

³“U.S. Government Response,” U.S. Department of State, Interagency Task Force to Monitor and Combat Trafficking, accessed March 15, 2015, <http://www.state.gov/j/tip/response/index.htm>.

⁴*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

vulnerable to the crime of trafficking in persons.”⁵ The Pacific Immigration Director’s Conference (PIDC) determined in 2008 that the region has been used as a major transit point for TIP and human smuggling, as well as “a range of other organized transnational criminal activities, such as drug smuggling and exploitation of resources through illegal fishing and logging.”⁶

There are also certain governmental, cultural, and social factors at work in Southeast Asia and the Pacific Islands, which contribute to the problem of human trafficking. These factors often make it difficult to find solutions. Scot Marciel referred to this problem in his testimony:

Many governments in the Asia-Pacific have developed adequate legal and policy frameworks to deal with human trafficking, and several have recently enacted laws that comprehensively combat this crime; however, implementation of these trafficking laws is sometimes weak...the limited progress we have seen on anti-trafficking efforts is linked to a broader set of challenges facing the government.⁷

The PIDC has collected data over the last decade, and reports annually on TIP and illegal migration in Southeast Asia. These reports suggest at least ten Pacific Island nations are concerned with the problem of TIP.⁸ While there is empirical research showing that the issues of trafficking are widespread and affect the international community, there are gaps in solutions that focus on U.S. national security, which this thesis shall address.

⁵Jade Lindley and Laura Beacroft, “Vulnerabilities to trafficking in persons in the Pacific Islands,” *Trends and Issues in Crime and Criminal Justice*, no. 428, (Nov 2011): 1, http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi428.pdf.

⁶*Ibid.*, 2.

⁷*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

⁸Jade Lindley and Laura Beacroft, “Vulnerabilities to trafficking in persons in the Pacific Islands,” *Trends and Issues in Crime and Criminal Justice*, no. 428, (Nov 2011): 1, http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi428.pdf.

C. POTENTIAL EXPLANATIONS AND HYPOTHESES

In order for the United States to remain a prominent strategic force in Southeast Asia, the United States may look at developing options outside confrontational military application alone, as this may provide an avenue to avoid unnecessary tensions within the constructs of regional hegemony. This can potentially be accomplished via soft power, as this may not interfere with Chinese economic or territorial strategic goals within Southeast Asia. The United States is already involved in a multitude of civil-military affairs, humanitarian assistance, and disaster response efforts in the region. By focusing on international institutions and inter-agency coordination dealing with TIP, the United States can further support regional stability operations through a soft power military methodology.

In examining the United States' homeland defense perspective and current efforts internationally, there are several ways in which the laws concerning trafficking and smuggling are often conflated, creating several problematic issues for law enforcement agencies and TIP institutions. In one example of possible policy change, the United States may assist states in the region to establish TIP concerns within the recognized boundaries of trafficking, specifically when it creates room for error, such as when the differences between human trafficking and human smuggling become muddled. When a person is voluntarily smuggled into a state is treated as a trafficking victim, this creates strain on the institutions in place designed to assist trafficking victims in recovery. Conversely, if a person is viewed as smuggled, then they may be deported to their home state to incur further abuse, possibly reentering the trafficking cycle.

In dealing with TIP in Southeast Asia, a multifaceted approach of prevention, protection of victims, and prosecution of those responsible will prove advantageous to states and policy-makers. Additionally, the United States may find it beneficial to combat the problems at their source in order to have a lasting effect. Criminal organizations use money from drug trafficking rings, prostitution, and weapons smuggling interchangeably. In order to properly combat the problem, it may be possible for a system to be developed

to attack all avenues of trafficking. The U.S. State Department response to dealing with TIP concurs, asserting that,

Combating human trafficking requires a comprehensive, multidisciplinary effort. Within government, this means the participation and coordination among agencies with a range of responsibilities that include criminal enforcement, labor enforcement, victim outreach and services, public awareness, education, trade-policy, international development and programs, immigration, intelligence, and diplomacy.⁹

The United States is also working with regional multinational organizations to combat trafficking. Recently, the Association of Southeast Asian Nations (ASEAN) held its 6th Expert Group Meeting on Trafficking in Persons, which created “the first-ever ASEAN-United States joint regional project to combat human trafficking.”¹⁰ Additionally, the U.S. DOS TIP Office “issued a grant to the American Bar Association’s Rule of Law Initiative to train heads of specialized anti-trafficking units from all ten ASEAN member countries with ASEAN Secretariat support and enhance cross-border collaboration to combat human trafficking.”¹¹

One potential way to address the issue is through increased surveillance, similar to that conducted at the border between the United States and Mexico. The 113th Congress addressed some of these concerns with new legislation from both the House and Senate via separate bills. Taking a lesson from the playbooks of Iraq and Afghanistan, Congress is requiring DHS to “continuously deploy unmanned aircraft, along with other surveillance equipment, to ensure surveillance of border areas 24 hours a day.”¹² In order to acquire these tools, a significant budget increase has been authorized over the next four years, with “\$45 billion in direct spending on border enforcement over

⁹“U.S. Government Response,” U.S. Department of State, Interagency Task Force to Monitor and Combat Trafficking, accessed March 15, 2015, <http://www.state.gov/j/tip/response/index.htm>.

¹⁰*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

¹¹*Ibid.*

¹²Andorra Bruno et al., *Immigration Legislation and Issues in the 113th Congress*, (CRS Report No. R43320) (Washington, DC: Congressional Research Service, 7–5700, November 20, 2013), 3–4, <http://fas.org/sgp/crs/homesec/R43320.pdf>.

a 5–10 year period.”¹³ Additionally, Congress claims they will support increased measures to enforce criminal prosecutions through funding specifically designated solely for border crossing prosecutions.¹⁴ Although the measures created in Senate-passed S. 744 would increase funding chiefly for the border of the United States and Mexico, some of these concepts can be applied, along with those used in the military operations elsewhere, to increase security in Southeast Asia.

By using the assets efficiently, national intelligence agencies can address trafficking by adding finite budgetary measures to increase the number of flights and satellite shots, instead of duplicating effort. This would have a positive secondary effect on agency coordination as well, including information sharing with narcotics enforcement. The use of this method may close gaps in national security in the region, making current efforts more efficient.

While combatting trafficking from an intelligence collection and law enforcement perspective is vital, it is also paramount to consider the use of social change through NGO, IGO, social media, and community services. Thailand is one example of such a place under social reconstruction. Public places and hotels now have posters and placards in place to warn against sexual tourism involving children. Making trafficking a public issue aids in the fight by deterring the less resolute offenders and, more importantly, hurting the revenue of trafficking organization.

There are several nation-states within Southeast Asia that are in the first phases of developing anti-trafficking measures. However, as the AIC indicates, “the factors that facilitate susceptibility to trafficking also provide focal areas for strategies to prevent and suppress trafficking in persons and to address transnational crime in the Pacific Islands region more generally.”¹⁵

¹³Andorra Bruno et al., *Immigration Legislation and Issues in the 113th Congress*, (CRS Report No. R43320) (Washington, DC: Congressional Research Service, 7–5700, November 20, 2013), 3–4, <http://fas.org/sgp/crs/homesec/R43320.pdf>.

¹⁴*Ibid.*, 3–4.

¹⁵Jade Lindley and Laura Beacroft, “Vulnerabilities to trafficking in persons in the Pacific Islands,” *Trends and Issues in Crime and Criminal Justice*, no. 428, (Nov 2011): 1, http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi428.pdf.

D. LITERATURE REVIEW

This literature review defines human trafficking and differentiates it from other forms of smuggling and trafficking. It discusses what experts argue is the cause of the human trafficking problem, as well as their recommendations for a solution. Additionally, this research explores how TIP may affect U.S. national security or regional stability. Conventional schools of thought are explored to see how they may be challenged. Three primary areas of research focus on attacking human trafficking at the source, emphasizing detection of smuggling and trafficking, and increasing penalties on those responsible as well as those people who abuse victims. This thesis will also examine relevant case studies and possible gaps in that literature.

1. What is Human Trafficking?

Jon Feere advocates that analysts should begin by differentiating human trafficking—which typically involves people affected against their will—from human smuggling—which generally involves the voluntary illegal movement of individuals.¹⁶ This differentiation affects research on the issue of trafficking in Southeast Asia and its possible solutions. According to Feere, this seemingly small difference causes a huge economic impact on the United States and globally. His argument is based on the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, which addresses “‘unaccompanied alien children’ who are victims of trafficking” in the United States.¹⁷ This law was specifically designed to protect women and children who fall victim to human trafficking. However, as Feere shows, most of the children are in fact being smuggled in to the country willingly and have family already living in the United States. These children are then subsequently passed to these relatives and assisted to stay in the country.¹⁸

¹⁶Jon Feere, “2008 Trafficking Law Largely Inapplicable to Current Border Crisis,” *Center for Immigration Studies*, (2014): 1–2, http://cis.org/sites/cis.org/files/feere-trafficking_0.pdf.

¹⁷*Ibid.*, 1–2.

¹⁸*Ibid.*, 1–2.

In addition to understanding the nuance between trafficking and smuggling, it is also important to delineate different forms of TIP. U.S. State Department representative Scot Marciel reiterates from the 2014 TIP Report that,

Simply equating human trafficking to sexual exploitation misses much of the story. Labor trafficking, prevalent throughout the region, is also a crime against human dignity and human security. Worldwide the majority of trafficking victims are held in labor trafficking situations, though we know sexual exploitation often occurs with labor trafficking as well.¹⁹

a. U.S. Official Definitions

The best summarization of the various United States agency definitions is found in the DOS 2014 TIP Report. This document states the following concerning the definition of TIP:

“Trafficking in persons” and “human trafficking” have been used as umbrella terms for the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud, or coercion. The Trafficking Victims Protection Act (TVPA) of 2000 (Pub. L. 106–386), as amended, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol), describe this compelled service using a number of different terms, including involuntary servitude, slavery or practices similar to slavery, debt bondage, and forced labor.²⁰

The 2014 United States TIP Report also points out that travel is not a required stipulation for the delineation of a trafficking victim.²¹ Regardless of birth, transportation, or prior arrangements, a person who falls under the above definition is considered and treated as a victim. One additional and specific statement of interest included under the Child Sex Trafficking segment declares, “There are no exceptions to

¹⁹*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

²⁰“Trafficking in Persons Report 2014,” U.S. Department of State, accessed March 15, 2015, 29, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

²¹*Ibid.*, 29.

this rule: no cultural or socioeconomic rationalizations alter the fact that children who are prostituted are trafficking victims.”²²

b. NGO Definitions

The International Organization for Migration (IOM) shares the definition of TIP from Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, which declares that “*Trafficking of persons shall mean*: ‘The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat, use of force or other means of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the receiving or giving of payment...to a person having control over another person, for the purpose of exploitation.’”²³

c. IGO Definitions

Kofi Annan frames the discussion of trafficking by defining human security as a basis of all human rights.²⁴ He defines threats to human security as “gross abuses of human rights, the large-scale displacement of civilian populations, international terrorism, the AIDS pandemic, drug and arms trafficking and environmental disasters present a direct threat to human security, forcing us to adopt a much more coordinated approach to a range of issues.”²⁵ This helps frame the discussion for a connection between TIP and institutions that fight for all basic human rights.

The United Nations Office on Drugs and Crime (UNODC) Global Report on Trafficking in Persons for 2014 uses the definition from the United Nations Trafficking

²²“Trafficking in Persons Report 2014,” U.S. Department of State, accessed March 15, 2015, 29, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

²³International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 4–6, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

²⁴Kofi Annan, “Report of the Secretary-General on the Work of the Organization,” General Assembly Official Records Fifty-fifth session Supplement no.1 (A/55/1), (New York: United Nations, 2000), 40, <http://www.un.org/documents/sg/report00/a551e.pdf>.

²⁵*Ibid.*, 40.

in Persons Protocol, ratified by 160 member states.²⁶ This definition is presented as follows:

There are three distinct ‘constituent elements’ of trafficking in persons: the act, the means and the purpose. All three elements must be present in order for a case to be defined as a trafficking in persons offence. Each element has a range of manifestations, however. The Trafficking in Persons Protocol specifies that “the act” means the recruitment, transport, transfer, harboring or receipt of persons. “The means” refers to the method used to lure the victim. Possible means are the threat or use of force, deception, coercion, abduction, fraud, abuse of power or a position of vulnerability, or giving payments or benefits. These terms are not necessarily precise from a legal point of view and may be defined differently by different jurisdictions. “The purpose” is always exploitation of the victim, though this can take on various forms, including sexual exploitation, forced labour, removal of organs or a range of other forms.²⁷

2. What Is the Cause of the Human Trafficking Problem?

Each institution has a different perspective on the elements that create an environment for trafficking. Additionally, there are several factors that experts believe cause human trafficking.

One base contributing factor to the cause of human trafficking is often the complicity of the state. As the 2013 annual report by Amnesty International claims, “Once people have left, the sending states claim that since their migrant workers are no longer within their territory, they have no obligations, and the host states claim that because they are not citizens they have no rights.”²⁸ This viewpoint allows migrants and refugees to become potential victims of TIP as there is no state infrastructure looking out for them.

Another possible cause of trafficking is unequal development. The IOM claims trafficking in the region is a migration issue largely due to “north-south economic

²⁶“Global Report on Trafficking in Persons 2014,” UNODC, 15–16.

²⁷Ibid., 15–16.

²⁸“Amnesty International, Report 2013: The state of the world’s human rights,” Amnesty International, May 23, 2013, 6–7, <http://www.refworld.org/docid/519f82914.html>.

disparity coupled with demographic challenges.”²⁹ Due to issues in developing states, such as environmental disasters and inner state turmoil, “the search for a better life” is the predominant cause of Southeast Asian migration issues, which leads to TIP and other trafficking problems.³⁰

Mohamed et al. claim that security issues are not just those involving armed conflict between states, but also human rights violations, “massive non-voluntary human migration, international terrorism, health issues, smuggling, natural disasters and many more.”³¹ Further, the United Nations Development Programme (UNDP) has seven categories for threats to human security, which include: economic, food related, health related, environmental, personal, community related, and political security related.³² Each of these categories is considered a contributing cause of TIP.

Chris Beyrer claims that rapid social changes allowing for the growth of criminal organizations and drug trafficking are principal causes of human trafficking.³³ Additionally, as criminal organizations grow their need for weapons increases. According to Beyrer, this demand for weapons is highly correlated with instability and the spread of HIV, which points to the connection between these organizations and human trafficking. Additionally, he states that “both the sex trade and the increasing availability of heroin and other narcotics are evidence of a wider trend...the increasing power of criminal networks.”³⁴ Although his analysis does not specifically target TIP, he does examine the trafficking of women and children in Cambodia, Thailand, and Papua New Guinea, as well as most of Southeast Asia through the spread of HIV. The spread of HIV is but one

²⁹International Organization for Migration, “Counter-Trafficking,” accessed March 16 2015, 4–6, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

³⁰International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 4–6, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

³¹Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 169, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

³²*Ibid.*, 169.

³³Chris Beyrer, “Accelerating and Disseminating Across Asia,” *The Washington Quarterly*, 24, no. 1 (Winter, 2001): 216, <http://search.proquest.com/docview/215024278?accountid=12702>. (President Obama’s speech is already captured in footnote 1.)

³⁴*Ibid.*, 216.

facet of the endangerment to public health that President Barrack Obama mentioned in his speech concerning TIP. Beyrer also alludes to social status, social mobility, access to labor, and education levels as contributing factors to the growth of trafficking.³⁵

According to the AIC, “existing patterns of people movement, weak border and immigration controls, states affected by poor governance, failing rule of law and corruption, the impact of cultural practices entwined with poverty and a limited capacity to respond to natural disasters are identified as key vulnerabilities to trafficking in persons.”³⁶

3. What Should Be Done?

As each institution has a unique perspective on the causes of human trafficking, they also differ on possible solutions. These solutions range from strengthening government to providing aid to migrants and refugees. Few organizations have the resources to attempt to address all of the elements of TIP. Arguments by experts in human trafficking and human rights also diverge as some place the emphasis on the state and others on transnational organized crime (TOC), and others on the population sources that fuel these organizations.

Amnesty International is not devoted solely to trafficking. However, according to this institution, while states seek freedom and equality, the concept of sovereignty must also be rethought in order to bring justice to victims of smuggling and trafficking.³⁷ When states claim sovereignty for purely population control, social media and our new age of communication are key to combatting governments that condone or allow trafficking.³⁸ Additionally, states should enforce the laws that are passed, as well as the UN conventions set forth. One example brought forth by Amnesty International’s 2013

³⁵Chris Beyrer, “Accelerating and Disseminating Across Asia,” *The Washington Quarterly*, 24, no. 1 (Winter, 2001): 216, <http://search.proquest.com/docview/215024278?accountid=12702>.

³⁶Jade Lindley and Laura Beacroft, “Vulnerabilities to trafficking in persons in the Pacific Islands,” *Trends and Issues in Crime and Criminal Justice*, no. 428, (Nov 2011): 1, http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi428.pdf.

³⁷“Amnesty International, Report 2013: The state of the world’s human rights,” Amnesty International, May 23, 2013, 6, <http://www.refworld.org/docid/519f82914.html>.

³⁸*Ibid.*, 2.

report on human trafficking shows that Nepal banned women less than thirty years of age from migrating for work to certain countries deemed dangerous or predatory. However, this enforcement alone created an unfortunate side effect of women seeking to be smuggled illegally. This creates situations that endanger women, putting them in the hands of unscrupulous smuggling organizations. Instead, Amnesty International argues that the Nepalese government should have “fought to secure safe working environments for the women.”³⁹

One of the largest organizations dealing with TIP at its source is the International Organization for Migration. The IOM is an IGO consisting of 157 state members and over 100 observers, and boasts 480 field locations employing 8,400 staff working on more than 2,600 projects, spending over \$1.3 billion in 2013.⁴⁰ This organization’s mission states that “humane and orderly migration benefits migrants and society.”⁴¹ The IOM believes that TIP should be addressed via migration control. They also see the benefit of multiple angles of attack via coordination with other entities. The IOM states that they work closely with IGOs, NGOs, and state institutions, and uses an approach based on three primary guiding principles: “Respect for human rights; Physical, mental and social well-being of the individual and his or her community; Sustainability through institutional capacity building of governments and civil society.”⁴² The IOM approach implies that current institutions should improve perceptions toward victims, and growing those current institutions.

In dealing with TIP from the perspective of the U.S. DOS, “In countries where this occurs, State Department officials seek sustained adherence to rule of law, democratic practices, and good governance. Expanding democracy and respect for human rights is central to our policy in Asia-Pacific, and combating human trafficking is a

³⁹“Amnesty International, Report 2013: The state of the world’s human rights,” Amnesty International, May 23, 2013, 6, <http://www.refworld.org/docid/519f82914.html>.

⁴⁰“IOM Today,” International Organization for Migration, accessed March 17, 2015, <http://www.iom.int/cms/en/sites/iom/home/where-we-work/asia-and-the-pacific/australia.html>.

⁴¹Ibid.

⁴²International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 1, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

priority for the bureau domestically and at our embassies abroad.”⁴³ This endeavor is carried out by the East Asian and Pacific Affairs (EAP) bureau, which coordinates with the Office to Monitor and Combat Trafficking in Persons (the TIP Office) whose goal is “preventing trafficking, protecting victims and vulnerable populations, and prosecuting offenders...to secure on-the-ground ‘buy-in’ from governments, civil society organizations, and international partners to effectively combat trafficking in persons.”⁴⁴

U.S. State Department representative Scot Marciel testified before Congress that Southeast Asia has a host of factors restricting progress in the fight against TIP, including police intimidation, corrupt judges, or poorly trained immigration officials. This creates an environment in which TIP violations “go unnoticed, unaccounted for, and multiply.”⁴⁵

The United Nations attempted to address this issue by creating the UN Convention on the Rights of Migrant Workers and Their Families in 1990.⁴⁶ However, as stated by Amnesty International, this convention “remains one of the least ratified human rights conventions”; moreover, “no migrant-receiving state in Western Europe has ratified the Convention. Nor have others with large migrant populations such as the USA, Australia, Canada, India, South Africa and states in the Gulf.”⁴⁷

Chris Beyrer’s work also shows that many of the women that are trafficked from Asia are destined for countries that signed and claim to support the UN Convention on the Rights of the Child. According to him, this problem will “require regional and international cooperation to resolve.”⁴⁸ As creating a UN convention is itself cooperation,

⁴³*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

⁴⁴*Ibid.*

⁴⁵*Ibid.*

⁴⁶“Amnesty International, Report 2013: The state of the world’s human rights,” Amnesty International, May 23, 2013, 6–7, <http://www.refworld.org/docid/519f82914.html>.

⁴⁷*Ibid.*, 6–7.

⁴⁸Chris Beyrer, “Accelerating and Disseminating Across Asia.” *The Washington Quarterly*, 24, no. 1 (Winter, 2001): 216, <http://search.proquest.com/docview/215024278?accountid=12702>.

the development of a more defined coordination may be beneficial in solving the problem.

Some of the solutions offered by Jon Feere would be beneficial in the overall fight against trafficking, especially once those involved arrive on United States soil. For instance, Feere argues that the President of the United States makes speeches and policy changes, but these actions do not punish those smuggling.⁴⁹ From his perspective, this encourages both smuggling and trafficking, as government intentions are blurry at best. Additionally, he claims that ICE and other agencies are often not allowed to pursue those who are paying for the illegal immigration, due to misinterpretation of trafficking laws. Furthermore, he suggests that the United States government can effectively use the tool of Expedited Removal, authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, “which allows immigration officers to quickly remove any inadmissible alien who is without a valid claim of asylum. It results in a final order of removal and prohibits the alien from reentering the United States for a period of five years.”⁵⁰ For traffickers originating from Southeast Asia, this could prove cost prohibitive.

Luis CdeBaca, Ambassador-at-Large to Monitor and Combat Trafficking in Persons relates that the U.S. State Department’s approach is a “3P paradigm of prevention, protection, and prosecution.”⁵¹ The DOS examines the TIP efforts of 188 nation-states and grades them on a four tier system. This allows them to compare their efforts with that of the United States to gauge internal efforts in relation to the international community. Specifically, the TIP report asks the hard 3P paradigm questions - how the state is helping victims, what is being done to prosecute those responsible, and what that state is doing to prevent TIP in their territory? Each nation-

⁴⁹Jon Feere, “2008 Trafficking Law Largely Inapplicable to Current Border Crisis,” *Center for Immigration Studies*, (2014): 5, http://cis.org/sites/cis.org/files/feere-trafficking_0.pdf.

⁵⁰*Ibid.*, 5.

⁵¹Luis CdeBaca, “Briefing on the Trafficking in Persons Report 2014,” Political Transcript Wire, Jun 20, 2014, <http://www.state.gov/j/tip/rls/rm/2014/228067.htm>.

state, including the United States, is measured against 11 minimum standards drawn from the United States Trafficking Victims Protection Act's (TVPA) set forth in 2000.⁵²

The information pooled from the U.S. DOS TIP annual report is used as fuel, via the embassies in each state, to continue improving efforts of the host nation's TIP fight. Additionally, by comparing states according to the United States Tier system, states that are making progress combatting trafficking may be compared against those falling behind to see what causal factors are at play. The TIP Tier system is also used as a diplomatic tool, as TIP data points can be included in recommendations to the President on policy actions with other states, such as sanctions or the funding of anti-trafficking programs.⁵³

According to Diana Betz, the TVPA "delineated clear, universal standards of anti-trafficking legislation and institutions that should be established in all nations in order to most effectively combat human trafficking."⁵⁴ She adds a unique perspective to the argument and further delineates the need for tailoring legislation to the specific needs of the states involved. She believes each state should be given an initial set of guiding principles, and should then be encouraged to create country specific laws that address the unique causes presented in that territory. Additionally, she notes that the TVPA Tier listings are only as effective as the host country gives them weight, and the sanctions and other actions are only enacted on the lowest hanging fruit on the list. Therefore, many states remain content to stay safely in the middle, neither producing any real effort, nor being punished for their lack of real progress. As Betz points out, "Indonesia is a clear case of a country who is content to remain a Tier 2 nation and only make the minimum progress required."⁵⁵

⁵²Luis CdeBaca, "Briefing on the Trafficking in Persons Report 2014," Political Transcript Wire, Jun 20, 2014, <http://www.state.gov/j/tip/rls/rm/2014/228067.htm>.

⁵³Ibid.

⁵⁴Diana L. Betz, "Human trafficking in Southeast Asia Causes and Policy Implications," (master's thesis Naval Postgraduate School, 2009), 74, <http://hdl.handle.net/10945/4768>, quoted in Gretchen Soderlund, "Running from the Rescuers: New U.S. Crusades Against Sex Trafficking and the Rhetoric of Abolition," National Women's Studies Association Journal, vol. 17, no. 3 (2005), 73.

⁵⁵Ibid., 139.

At home, the United States believes TIP should be fought directly at the border. In one example, U.S. Border Patrol working with ICE “would place personnel, surveillance technology, fencing, and other infrastructure directly on the border to discourage illegal flows, a strategy that became known as “prevention through deterrence.”⁵⁶ According to the 1994 INS plan, “the prediction is that with traditional entry and smuggling routes disrupted, illegal traffic will be deterred, or forced over more hostile terrain, less suited for crossing and more suited for enforcement.”⁵⁷

4. What Are the Literature Gaps?

The phenomenon of trafficking is not a new one. According to Feingold, “the coerced movement of people across borders is as old as the laws of supply and demand.”⁵⁸ Human trafficking is a phenomenon that societies and states have struggled with for centuries. As trafficking has existed for so long, a solution could have developed to end it, unless there are underlying factors that impede the combatting of trafficking. Scholars and researchers have delineated a few theories on these factors that are addressed in this thesis. However, this research discovers there are gaps in literature with definitive solutions to human trafficking, as well as a lack of definitive proof for what methodology is best in combatting trafficking in today’s environment of globalization.

Questions still exist, including which solutions have been attempted by states that were proven ineffective, or if this phenomenon is due to repeat itself as state governments continue to evolve. Is it possible that trafficking will always exist due to states’ complicity, organized crime, or the realist perspective that the strong will always take advantage of the weak? One example is the gap in literature pertaining to ineffective solutions by international institutions like ASEAN. According to Zarina Othman, ASEAN declared drug trafficking as a regional threat almost two decades ago. Yet, she

⁵⁶Lisa Seghetti, *Border Security: Immigration Enforcement Between Ports of Entry*, (CRS Report No. R42138) (Washington, DC: Congressional Research Service, 2014), 3, <http://fas.org/sgp/crs/homsec/R42138.pdf>.

⁵⁷*Ibid.*, 3.

⁵⁸David A. Feingold, “Human Trafficking,” *Foreign Policy* (Washingtonpost. Newsweek Interactive, LLC.), No. 150 (Sep.-Oct., 2005), 26, Accessed: March 12 2014, <http://www.jstor.org/stable/30048506>.

claims that scholarly research “even on the broadened concept of ‘comprehensive security’ as it is applied in SE Asia, had minimally addressed the problem.”⁵⁹

Roby et al. claim that “human trafficking has become a common practice aided by globalization; yet, policy, research and practice methodologies are at their infancy.”⁶⁰ As their article relates, there is a severe lack of “empirical and systematic research [and] a conspicuous lack of discussion about human trafficking into the United States and the role of the human services community to address the issue.”⁶¹ Furthermore, that article claims there is a deficit of dialogue about policy effectiveness vis-à-vis “bringing justice to the perpetrators of human trafficking.”⁶² This article was written in 2008, and there have been several policy changes in the United States since that time. However, there is still a gap in the literature on the overall effectiveness of these policies.

E. METHODOLOGY

This thesis includes analysis of current policies of the United States government and DOD, as well as IGOs and NGOs. These policies are the starting point for addressing TIP concerns to the state and the region. This thesis examines possible areas of potential coordination that may be underdeveloped. Additionally, this work observes those methodologies that policy-makers believe are best to combat TIP via current institutions.

The research herein includes relevant elements of TIP applied to Southeast Asia. The chapters will focus on trafficking prevalence in Southeast Asia, how it affects U.S. national security interests and regional stability in Southeast Asia, and how it is currently combatted by various states and institutions. A sample of institutions will be examined in Chapter II to see if some are more effective than others and why.

⁵⁹Zarina Othman, “Human Security in Southeast Asia: A Case Study of Illicit Drug Trafficking as a Transnational Threat in Myanmar (Burma)” (Ph.D. dissertation, University of Denver, 2002), <http://search.proquest.com/docview/60656573?accountid=12702>.

⁶⁰Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 508, doi: <http://dx.doi.org/10.1080/15362940802480241>.

⁶¹Ibid., 508.

⁶²Ibid., 508.

F. THESIS OVERVIEW AND BACKGROUND

Chapter II discusses various contributing elements of trafficking to build a comparative framework for analysis against the situation in Southeast Asia. Chapter III examines the national security strategy of the United States as it applies to TIP in Southeast Asia. Chapter IV is devoted to efforts by the United States to combat TIP globally, regionally, trafficking specifically in connection to Southeast Asia, and domestically. The final chapter addresses the way ahead, including what is prevalent, including what can be changed in policy and use of available assets, in order to bring about changes that will address U.S. national security interests and reduce the level of trafficking *en masse*.

This thesis argues that there are gaps in the literature showing case studies of exactly how international criminal organizations make use of funding from one operation to the next, such as from narcotics to human trafficking. Furthermore, there is a lack of focus in the United States on trafficking and criminal organizations originating in Southeast Asia and the Western Pacific. Additionally, policy is inadequate in many states and institutions, as they do not address TIP with an approach to combatting TOC as well. Last, this thesis provides a hypothesis on possible solutions beneficial to United States security strategies within the context of human trafficking as a strategic soft power focal point.

In the conclusion, this thesis compares policies of the United States DOD to that of NGO and IGOs globally. The research examines how trafficking is defined, viewed, tracked, and combatted via these institutions. The conclusion compares the current situation within institutional frameworks and constraints, and further examines the implications of human trafficking on regional stability, in addition to the strategic goals of the United States.

II. HUMAN TRAFFICKING IN SOUTHEAST ASIA

Chapter II is devoted to trafficking specifically in connection to Southeast Asia, including the prevalent trafficking elements, current regional efforts combatting trafficking, and an assessment of the effectiveness of these efforts. There are several factors that can contribute to the population's risk of being involved in trafficking. These factors show the magnitude of trafficking in the region, and this research attempts to paint a picture of the unique aspects that make combatting trafficking in Southeast Asia difficult.

A. ELEMENTS OF TIP IN SOUTHEAST ASIA

In order understand how TIP effects U.S. national security and regional stability in Southeast Asia, it is vital to know what elements contribute to the problem of TIP, what is being done to combat trafficking, and by what organizations and institutions. There are several elements that both contribute to TIP and are affected by TIP. These elements largely begin with vulnerable populations living in poverty, or trying to find a better life for a variety of reasons. Many turn to mass migration or become refugees, and the immense level of remittance that migrants send to family members at home also plays a part in TIP. Additionally, these people are made even more vulnerable by unequal development between states in the region, weak governance, and corruption of state government and law enforcement. Lastly, maritime trafficking is the predominant method of transportation for smugglers and traffickers, but is a weak area of intervention due to the vastness of sea-lanes and lack of dedicated forces to track or interdict these traffickers. All of these elements are connected to trafficking in some way and should be addressed in order to reduce the prevalence of TIP.

1. Migration

One of the factors in Southeast Asia that should be of concern is the magnitude of migration, which makes effectively combatting trafficking difficult due to the resources required to track and interdict potential victims. The IOM points out that the Asia-Pacific region is home to over half of the world's population, approximately 4.2 billion people in

their estimation.⁶³ As the focus of the IOM is on migration issues, they show that this region is home to a quarter of the world's total number of international migrants, and accounted for over half of the world's GDP in recent years, linking migration to economic concerns. According to the IOM, the Asia-Pacific region has roughly 25 million workers who are working outside their home countries, accounting for over \$113 billion annually.⁶⁴

These migrants flow within their home countries to other neighboring states in the region, as well as across the globe. Among all the countries of South and Southeast Asia, India and China are known centers of migration, and have “become simultaneously countries of origin, transit and destination.”⁶⁵ These two hegemons on either side of the region contribute significantly to the magnitude of the issue. As China is the main strategic focus in the region and the United States is increasing cooperation with India, this factor highlights a potential area for possible soft power influence from the United States.

Along with migration for labor, the region also experiences vast numbers of people migrating to avoid state security issues, natural disasters, or environmental concerns. This creates a host of other problems for the receiving states, including large numbers of people living as undocumented, second-generation immigrants, born “at risk of statelessness.”⁶⁶ As the IOM points out, these people have no legal identification, which puts them in the hands of smugglers. Additionally, they have no access to state services or benefits, “making them more vulnerable to being targeted by traffickers.”⁶⁷ The IOM predicts that this will increase in coming years, and suggests that migration

⁶³International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 18, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

⁶⁴Ibid., 18.

⁶⁵International Organization for Migration, Asia and the Pacific, “The Context of Migration in the Region,” accessed 17 March 2015, <http://www.iom.int/cms/en/sites/iom/home/where-we-work/asia-and-the-pacific.html>.

⁶⁶Ibid.

⁶⁷Ibid.

assistance should include a concept they call disaster risk reduction (DRR), to provide support in the realms of emergency and humanitarian response.⁶⁸

The flow of undocumented people causes further issues with links to trafficking. The IOM defines the portion of migrants that are smuggled or flowing through illegal or undocumented means as *irregular* migrants. The organization claims that a large portion of the migrants in the Asia-Pacific region are irregular, and the region “hosts the largest undocumented flows of migrants in the world, mainly between neighboring countries.”⁶⁹ Irregular immigrants do not have access to legal identification documents, and their children are often unreported and therefore undocumented. This forces these families to turn to illegal means of documentation and transportation, which puts them in danger of becoming a trafficking victim, as well as further supporting trafficking via smuggling funds. As the IOM relates, much of this flow is provided by smugglers, which they claim “may or may not be connected to transnational organized crime.”⁷⁰ Other sources in this thesis confirm this link, making illegal documentation an area of concern that could continue to be improved within each state.

2. Refugees

Another factor of concern for combatting TIP is the volume of refugees burdening the region. The IOM states that this region “continues to host the largest number of refugees and displaced people in the world.”⁷¹ Many of the states within the region still have not ratified the UN Status of Refugees Convention from 1951, and the weight of resettlement is falling predominately on the West, which further links this to national

⁶⁸International Organization for Migration, Asia and the Pacific, The Context of Migration in the Region, <http://www.iom.int/cms/en/sites/iom/home/where-we-work/asia-and-the-pacific.html>.

⁶⁹Ibid.

⁷⁰International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 5, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

⁷¹Ibid., 5.

security.⁷² These displaced people often fall into the same unfortunate situation that migrants find themselves, looking for illegal means of transportation and documentation.

The strain of refugees causes additional TIP concerns, as Ambassador CdeBaca relates that refugees are often exploited and may be sold once they reach a destination, which is shown in his testimony on the TIP 2014 report.⁷³ Further, as Sarah Sewall relates, addressing issues like the care of refugees is “not always recognized as part of a comprehensive approach to fight human trafficking but without them, more tailored interventions will not be sustainable.”⁷⁴ The correlation between migrants and refugees shows that despite differences in the circumstances behind their situation, they are equally at risk of trafficking. Additionally, this thesis argues that refugees play a significant role in the cycle of weak governance and development discussed further in this chapter.

3. Remittances

Remittances also play a significant role in the trafficking cycle through substantial tertiary funding situations. The overwhelming level of remittance is now a priority for the IOM and many state institutions, as this money is often funneled through illegal means and recycled into the world of trafficking. States are currently working to address this issue by incentivizing the flow of money through official networks, such as local banks, thereby working to better the economy as well as reduce the supply of funds to trafficking agents. The IOM further plans to address remittance issues by “improving financial literacy to migrants,” supporting efforts to channel portions of the money to community development projects.⁷⁵

⁷²International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 5, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

⁷³Luis CdeBaca, “Briefing on the Trafficking in Persons Report 2014,” Political Transcript Wire, Jun 20, 2014, <http://www.state.gov/j/tip/rls/rm/2014/228067.htm>.

⁷⁴Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” January 13, 2015, <http://www.state.gov/j/remarks/235934.htm#>.

⁷⁵International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 18, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

As an example, the largest migrant producing country in the region is the Philippines, with remittance recently accounting for over 12 percent of its GDP.⁷⁶ This plays a major factor in the state's economy. Furthermore, this may potentially lend to a possible explanation of why some states choose to turn a blind eye to TIP. As many victims of TIP are used for sex tourism and labor in frequented markets, efforts to reduce trafficking could potentially have negative effects on a state's tourism economy, if not handled properly.

4. Unequal Development

According to UNODC Executive Director Yury Fedotov, human trafficking is “a crime of the 21st Century: adaptive, cynical, sophisticated; existing in developed and developing countries alike.”⁷⁷ The disproportion between levels of development in states within Southeast Asia affects the three aforementioned elements of migration, refugees and remittance.

As Betz relates, “uneven industrial development” in the region causes disparity in the supply and demand chain between developing states. As the demand for labor increases, the volume of trafficked persons increases as well.⁷⁸ The IOM believes that by improving labor migration conditions in developing states, the overall economy of the region will balance so that the supply and demand for migrants from poor states to wealthy states will no longer feed the trafficking phenomenon.⁷⁹ Additionally, developing states are often in a position of weak governance, which is discussed next.

⁷⁶International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 4, 17, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

⁷⁷“UNODC General Assembly reviews efforts to combat human trafficking,” UNODC, accessed on 7 February 2015, <http://www.unodc.org/unodc/en/frontpage/2013/May/general-assembly-reviews-efforts-to-combat-human-trafficking.html?ref=fs1>.

⁷⁸Diana L. Betz, “Human trafficking in Southeast Asia Causes and Policy Implications,” (master's thesis Naval Postgraduate School, 2009), 71–72, <http://hdl.handle.net/10945/4768>.

⁷⁹International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 4, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

5. Weak Governance

The lack of strong governance and rule of law is another factor that is an abundant contributor to TIP in Southeast Asia. Weak governance is often linked to trafficking, as Betz's research shows in Cambodia. According to Sadako Ogata, the United Nations High Commissioner for Refugees, "Threats to human security are varied—one of the main factors of human insecurity is precisely the lack of effective political and security mechanisms to address conflicts."⁸⁰ Due to the severe level of corruption and lack of government, "individuals often rely on unlicensed travel brokers" to find ways out of the country, be it for labor or other enterprises.⁸¹ This is true of many states within the region. Weak governance has several links to other elements of TIP as a weak state is not fully equipped to deal with illegal migration, refugees, and economic disparity. Additionally, this scenario allows corruption to spread as there is a lack of strong institutions available to counter it.

6. Corruption

Corruption also plays a considerable role in Southeast Asian trafficking. As the NGO Free the Slaves points out, although almost every state has laws against slavery, "most countries don't bother to spend money on the enforcement of that law."⁸² Further, they claim that "slavery grows when the rule of law breaks down or is not enforced." According to this group, corruption in many states "means that officials are taking bribes from slaveholders and supporting slavery."⁸³

⁸⁰Sadako Ogata, "Human Security: a Refugee Perspective," Keynote Speech by Mrs Sadako Ogata, United Nations High Commissioner for Refugees, at the Ministerial Meeting on Human Security Issues of the "Lysoen Process" Group of Governments. (Bergen, Norway, 19 May 1999), <http://www.unhcr.ch/refworld/unhcr/hcspeech/990519.htm>.

⁸¹Diana L. Betz, "Human trafficking in Southeast Asia Causes and Policy Implications," (master's thesis Naval Postgraduate School, 2009), 73, <http://hdl.handle.net/10945/4768>.

⁸²Free the Slaves, accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

⁸³Ibid.

The UNODC produced a report in 2013 on Corruption and the Smuggling of Migrants.⁸⁴ In that document, the UNODC declares that corruption undermines efforts to combat all forms of trafficking and TOC. Additionally, they warn that money from profitable smuggling operations is often used to quiet corrupt officials. This sequence may include border and immigration controls as well as local law enforcement or government officials. The report claims that smuggling rings would collapse without the aid of corruption. Not only does money from smuggling get used to pay off corrupt officials, but some of these same officials are then paid off in order to ignore further smuggling. As the UNODC article reiterates, “Corruption is also a major obstacle to the prevention, detection, investigation and prosecution of migrant smuggling.”⁸⁵

United States policy-makers concur, and sent a corollary statement in the 2010 NSS, stating that transnational criminal organizations spread corruption by “forming alliances with government officials and some state security services.”⁸⁶ This shows how dangerously cyclical trafficking is, and that corruption is but one contributing factor. Therefore, in order to combat trafficking or smuggling, it is imperative that a strategy includes methods of reducing corruption.

7. Maritime Trafficking

Maritime trafficking is a direct element of TIP, as this is the primary means of transportation for traffickers and smugglers globally, and within Southeast Asia. There are several news reports and journal articles that highlight the prevalence of this problem. People are trafficked between states of Southeast Asia as well as across the globe, ending up the Europe and North America via passage on shipping vessels. The conditions are almost always dangerous, and many trafficked people are found dead by the time storage containers are opened at the destination port.

⁸⁴“UNODC launches Paper on Corruption and the Smuggling of Migrants, Vienna, 2013,” UNODC, accessed February 7, 2015, 5, http://www.unodc.org/documents/human-trafficking/2013/The_Role_Of_Corruption_in_the_Smuggling_of_Migrants_Issue_Paper_UNODC_2013.pdf.

⁸⁵Ibid.

⁸⁶United States National Security Strategy 2010, 16, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

In one example dating back to 2000, 58 trafficking victims were found in a refrigerated truck by port authorities during a routine search. An article in the *Pembroke Observer* quotes, “It’s quite a routine matter for our officers to uncover illegal immigrants during these searches.”⁸⁷ The article also relates that Britain saw a marked increase in asylum seekers. This article also mentions that Canada has been dealing with TIP as well, stating that in 1999, “almost 600 illegal migrants from China arrived off the coast of British Columbia aboard decrepit vessels.”⁸⁸ This example shows how TIP from the Asia-Pacific region is affecting states across the globe and is not a new phenomenon.

In another example, according to an article in the *Asian News Monitor*, 184 human trafficking victims were rescued and 19 crewmen captured five miles off the coast of Barangay Ayala, Zamboanga City, by the Philippine Navy in 2012. The report mentions that this vessel was headed toward Sandakan, Malaysia. The PN unit was operating in conjunction with Philippine Army and Air Force units, showing the effectiveness of joint military forces against TIP.⁸⁹

Shipping vessels are the predominant means of transporting trafficking victims to destinations within Southeast Asia and across the globe. However, the DOS 2014 TIP Report also provides several examples of TIP in maritime trafficking via illegal fishing and forced labor at sea.⁹⁰ The report shows this occurs globally, and mentions vessels from each region operating in local waters and in other regions in this manner claiming “forced labor has become more apparent on European and Asian fishing vessels seeking to catch fish in poorly regulated waters.”⁹¹ Additionally, the report claims that “Some victims were forced to commit crimes, including illegal narcotics trafficking.”⁹² The TIP Report further states that “Men are subjected to forced labor and debt bondage...in fishing

⁸⁷“Customs Finds 58 Dead: Worst Smuggling Disaster in Britain’s History,” *Pembroke Observer*, Jun 19, 2000, <http://search.proquest.com/docview/353977699?accountid=12702>.

⁸⁸*Ibid.*

⁸⁹“Philippines: Navy Rescues 184 Human Smuggling Victims Aboard Ship in Zamboanga,” *Asia News Monitor*, Jun 06, 2012, <http://search.proquest.com/docview/1018685133?accountid=12702>.

⁹⁰“Trafficking in Persons Report 2014,” U.S. Department of State, accessed March 15, 2015, 53, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

⁹¹*Ibid.*, 53.

⁹²*Ibid.*, 289.

and other maritime industries.”⁹³ One case provided recalls, “three Thai fishermen who were forced to work for an Israeli shipping agency that withheld their passports, allowed only two hours’ rest, and provided insufficient food and living conditions.”⁹⁴

As transnational criminal organizations use shipping containers as a means of transport, maritime security should become a primary focus of effort for those fighting TIP and other TOC issues. By increasing the difficulty of traffickers to transport people, weapons, and narcotics, the international community may be able to impact TOC both regionally and globally from efforts within Southeast Asia.

8. Conclusion

The fight against human trafficking is difficult to coordinate across Southeast Asia. The common cause of human trafficking from the movement of vulnerable populations is compounded by internal causes which differ from state to state. Weak governance, lack of jobs, and corruption all simultaneously contribute to trafficking, and are extremely difficult problems to tackle for states and the international community.⁹⁵ Mohamed, et al. concur, and consider poverty, state weakness, and lack of job opportunities as causes of human trafficking, citing Indonesia, Laos, and Cambodia as prime examples.⁹⁶ Furthermore, these elements of TIP converge with narcotics and weapons trafficking, and the funding of each is interstitial, which then affects regional stability and U.S. national security interests.

⁹³“Trafficking in Persons Report 2014,” U.S. Department of State, accessed March 15, 2015, 313, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

⁹⁴Ibid., 216.

⁹⁵Diana L. Betz, “Human trafficking in Southeast Asia Causes and Policy Implications,” (master’s thesis Naval Postgraduate School, 2009), 73, <http://hdl.handle.net/10945/4768>.

⁹⁶Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 172–173, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

B. ELEMENTS OF COUNTERING TIP IN SOUTHEAST ASIA

There are a multitude of IGOs, NGOs, and state organizations in the Asia-Pacific region combatting trafficking today from the UN to ASEAN, IOM to FTS, and INTERPOL to the U.S. DOS. Each institution prioritizes their efforts according to their functionality. The IOM is designed to work with migrants; the UN has a larger part in creating legislation and prosecution; while ASEAN revolves around state government coordination. Today, many of these institutions are beginning to coordinate efforts with each other for prevention, data collection, and tracking of trafficking within the region.

1. IGOs and NGOs

Efforts by IGOs and NGOs to combat trafficking and transnational organized crime (TOC) include support services, education, funding, relocation, prosecution of TOC, and working with states to improve legislation and institutions. While IGOs have power from state government standpoints, NGOs often have great moral influence as well.

a. UN

The United Nations bears a substantial burden in the fight against human trafficking, and its subsidiaries have enacted several Conventions and international laws to combat TIP worldwide. One of these branches, the UNODC, produced the most relevant UN actions including, “the United Nations Convention against Transnational Organized Crime and its two related protocols: the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and the United Nations Protocol against the Smuggling of Migrants by Land, Sea, and Air, which entered into force in 2003–2004.”⁹⁷ As Lindsey King relates, these agreements all have over one hundred state participants today. She also states that the Trafficking Protocol is “unique from other treaties because it was created as a law enforcement instrument.” King also claims this should provide more results than other “aspirational agreements” as

⁹⁷Lindsey King, “Topical Research Digest: Human Rights And Human Trafficking,” *International Law and Human Trafficking*, accessed February 28, 2015, 88, <https://www.du.edu/korbel/hrhw/researchdigest/trafficking/InternationalLaw.pdf>.

this protocol requires states to develop legislation to prosecute traffickers and provide victim assistance.⁹⁸ Another benefit of the Trafficking Protocol as noted by Roby et al., is that it provided a standard definition of trafficking, which began the framework for clarify the collection and analysis of trafficking reports.⁹⁹

There are several other ways in which the UN is combatting TIP through efforts to address human rights. In 2000, another portion of the UN system comprised of 147 government leaders, the UN Millennium Development Group (MDG), developed a comprehensive list of global goals and created the Millennium Declaration.¹⁰⁰ In 2008, the goals were updated and renewed, and given a deadline of 2015 to accomplish these endeavors.¹⁰¹ The eight primary tenants of the MDG are to eradicate poverty and hunger, achieve universal primary education, promote gender equality, reduce child mortality, improve maternal health, combat HIV and other diseases, ensure environmental sustainability, and further global partnerships for development.¹⁰² Although none of the post 2015 goals from the MDG target TIP, several of these goals intersect with the lives of vulnerable people who may become victims of TIP. According to Mohamed et al., the United Nations Development Programmers (UNDP) has seven categories for threats to human security, including, economic, food, health, environmental, personal, community, and political security.¹⁰³ Additionally, in 2007, the UNODC formed the United Nations Global Initiative to Fight Human Trafficking (UN GIFT) to assist in the enforcement of trafficking treaties, including funding state education and training programs.¹⁰⁴

⁹⁸Ibid., 88–90.

⁹⁹Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 506–510, doi: <http://dx.doi.org/10.1080/15362940802480241>.

¹⁰⁰United Nations In-Brief, accessed 27 February 2015, <http://www.un.org/Overview/uninbrief/>.

¹⁰¹Ibid.

¹⁰²UN Millennium Development Group, accessed 1 March 2015, <http://www.un.org/millenniumgoals/beyond2015-faqs.shtml>.

¹⁰³Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 169, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

¹⁰⁴Lindsey King, “Topical Research Digest: Human Rights And Human Trafficking,” *International Law and Human Trafficking*, accessed February 28, 2015, 88–90, <https://www.du.edu/korbel/hrhw/researchdigest/trafficking/InternationalLaw.pdf>.

b. ASEAN

The Association of Southeast Asian Nations (ASEAN) has subcommittees and declarations with relevant actions concerning TIP. One of these is the ASEAN Intergovernmental Commission on Human Rights (AICHR), which met 14–17 February 2015, and states that a few defined purposes of its charter are “to strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms.”¹⁰⁵ These goals match up with many of the elements of TIP discussed previously in this chapter. While ASEAN is small, they are increasing efforts to coordinate with other IGOs and NGOs. One example given in this recent meeting is that the AICHR “received a delegation from USAID Asia as a continuation of deepening dialogues on future cooperation on the ASEAN – U.S. PROGRESS project.”¹⁰⁶

ASEAN is furthering their partnership and momentum to accomplish goals in the region similar to that of the international community writ large. According to Mohamed, et al., ASEAN has spearheaded eleven agreements in the region to combat human trafficking in the last two decades.¹⁰⁷ Additionally, the ASEAN Human Rights Declaration met in 2014 to determine the progress each member state has made on several other declarations, including “the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) which have been ratified by all 10 ASEAN countries.”¹⁰⁸ While the majority of ASEAN functions do not directly address TIP, these efforts show that they are working on solutions to the elements that contribute to TIP.

¹⁰⁵Sharing National Experience on Human Rights Implementation in ASEAN, 23 December, 2014, <http://aichr.org/press-release/sharing-national-experience-on-human-rights-implementation-in-asean/>.

¹⁰⁶Feb 14th–17th Meeting of the ASEAN Intergovernmental Commission on Human Rights, (AICHR), accessed 28 February 2015, <http://aichr.org/press-release/17th-meeting-of-the-asean-intergovernmental-commission-on-human-rights/#more-1737>.

¹⁰⁷Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 172–173, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

¹⁰⁸Feb 14th–17th Meeting of the ASEAN Intergovernmental Commission on Human Rights, (AICHR), accessed 28 February 2015, <http://aichr.org/press-release/17th-meeting-of-the-asean-intergovernmental-commission-on-human-rights/#more-1737>.

Perhaps the closest direct relation to TIP in this institution is ASEAN Ministerial Meeting on Transnational Crime (AMMTC), which recently held the Joint Statement of the Fifth ASEAN Plus Three Ministerial Meeting on Transnational Crime (5th AMMTC+3).¹⁰⁹ This meeting group now includes China, Japan and the Republic of Korea, and proclaims their goals are to “consolidate and further strengthen the efforts in preventing and combating transnational crimes with the objectives to sustain peace, security, and stability as well as prosperity in the region.”¹¹⁰ To date, this organization has seven declarations and agreements, meeting bi-annually to discuss the progress of each.¹¹¹

c. IOM

The International Organization for Migration combats trafficking through a three part plan of prevention, technical cooperation, and direct access.¹¹² They approach prevention via information campaigns and education using mass and social media. Through technical cooperation, they work to strengthen governmental and societal institutions. The IOM aims to achieve these goals with a list of tenants of importance to the research in this thesis. They plan to provide “technical cooperation and operational assistance” to build “bilateral assistance” between states.¹¹³ Second, they intend to grow migration-related institutions within states to help them achieve results in better migration, which will in turn reduce trafficking.¹¹⁴

According to Mohamed et al., the IOM claims that “as many as 800,000 people may be trafficked across international borders annually, with many more trafficked

¹⁰⁹Joint Statement of the Fifth ASEAN Plus Three Ministerial Meeting on Transnational Crime (5th AMMTC+3) Consultation, accessed 1 March 2015, <http://www.asean.org/news/item/joint-statement-of-the-fifth-asean-plus-three-ministerial-meeting-on-transnational-crime-5th-ammtc3-consultation>.

¹¹⁰Ibid.

¹¹¹Ibid.

¹¹²International Organization for Migration, 3–4, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

¹¹³Ibid., 3–4.

¹¹⁴Ibid., 3–4.

within the borders of their own countries.”¹¹⁵ To counter this growing problem, one promising avenue of solution is the IOM plan to assist vulnerable migrants. This approach speaks to the idea of attacking the problem at its source, and reducing the supply of potential victims.¹¹⁶

After analyzing data from the region, the IOM decided in 2012 to officially respond with “six keys areas for intervention.”¹¹⁷ These areas of intervention include assessment and support for vulnerable migrants, reducing associated health risks, developing legal labor avenues, working with state border patrol agencies, disaster risk reduction, and developing plans that foresee the effects of climate other environmental changes on migration.¹¹⁸

As discussed next in this thesis, international efforts often encounter road blocks. For example, within the IOM, the Asia-Pacific budget is larger than any other region, and the regional headquarters is located in Bangkok, Thailand. Yet, Thailand is still a major player in trafficking, showing that IOM efforts still facing an uphill battle. The answer may lie in the disjointed nature of cooperation between institutions. As the institution claims, the migration issue is being handled by a “fragmented policy portfolio in the hand of various ministries and institutional agencies.”¹¹⁹

d. FTS

The NGO Free the Slaves (FTS), as its name indicates is an international organization dedicated to the eradication of slavery. Human trafficking is often called modern day slavery, and that is the basis of their fight. The FTS has a very optimistic outlook on the situation, declaring a goal of completely and permanently eliminating

¹¹⁵Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 168, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

¹¹⁶International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 13, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

¹¹⁷Ibid., 8.

¹¹⁸Ibid., 8.

¹¹⁹Ibid., 52.

slavery in our lifetime.¹²⁰ This seems like an impossible task when looking at the dynamic elements effecting vulnerable populations, the growth of transnational organized crime, and the sheer number of those affected. However, this organization declares that “today’s 21–36 million slaves is the smallest proportion of the world population to ever be in slavery. The profits they make for slaveholders are a tiny drop in the global economic ocean.”¹²¹ This perspective allows that the elimination of TIP may be plausible with coordinated effort.

The FTS believes that the two main obstacles to eliminating slavery are public awareness and resources. Additionally, the organization notes that a direct plan that addresses the unique aspects of the elements of slavery present in different states and circumstances is required, and not a “one size fits all solution.”¹²² This is especially true considering the elements depicted in this thesis that are prevalent in Southeast Asia.

2. STATE FACTORS

There are several examples from states within Southeast Asia that show the efforts by the international community face a difficult challenge. There are social, cultural, economic, ethnic, and even legal road blocks to success that may erode the confidence of the people in the prescribed solutions. Additionally, transnational organized crime creates challenges across state boundaries.

a. Institutional Barriers

When attempting to frame the relationships between the state and the people, the confidence of the people is often eroded by corruption. Due to rampant corruption, people are distrustful of their own police and government infrastructure. In many states, there are ethnic biases causing clashes between sectors of the population, causing mass migration in and out the state. Cultural norms affect the way in which people interact in the community, such as Chinese immigrant settlements in states within Southeast Asia.

¹²⁰Free the Slaves, accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

¹²¹Free the Slaves, accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

¹²²Ibid.

Economic disparity causes mass migration in Southeast Asia. Immigrants and refugees are then subject to legal issues that force them to resort to illegal means of living or moving. All these factors are affected by institutional barriers within the state.

There are a myriad of departmentalized functions within the UN. While NGOs may join or participate in many of these areas with little obstruction, there is a weakness in advancing new ideas within this institution. When considering potential new partnerships and solutions with the UN, states realize it is “an Organization of sovereign states, its resources are allocated only to programs which have been officially approved by its members.”¹²³ The significant time and numerous political constraints may cause some states and institutions to look elsewhere for coordination efforts or progress of new ideas.

Another area of struggle is that states do not take ownership of the problem from cradle to grave. Once a person leaves the geographical boundaries of the state, government jurisdiction becomes blurry and there are issues tracking citizenship. Often, a trafficking victim is viewed as someone else’s problem. One prime example given by Betz is in Indonesia, which, according to her research, showed the state was not concerned about those leaving for labor, as they were no longer in country. Additionally, they have little enforcement of trafficking violators, and poor enforcement of birth registration. The lack of concern leaves the population at risk.¹²⁴

Additionally, policies within the state should address trafficking in a manner befitting their needs. Betz argued that “anti-trafficking policies will fail if they are designed only to address universal causes. Policies must address both universal and specific causes to achieve any level of relative success.” She further argued that policies within certain states, “failed to address important causes of human trafficking.”¹²⁵

¹²³United Nations, Frequently Asked Questions, accessed 27 February 2015, <http://www.un.org/en/faq/index.shtml>.

¹²⁴Diana L. Betz, “Human trafficking in Southeast Asia Causes and Policy Implications,” (master’s thesis Naval Postgraduate School, 2009), 80, <http://hdl.handle.net/10945/4768>.

¹²⁵Ibid., 79.

Perhaps one of the most difficult issues to overcome in the battle against trafficking is the struggle with state acquiescence with international standards. In one example as Betz relates, many states write legislation to directly reach the U.S. TVPA requirements. She posited that instead they should be “tailoring legislation to specifically address the causes that are present.”¹²⁶ She is not alone in her assessment. In the preface to the UNODC, Global Report on Trafficking in Persons 2014, the UN declares that over 90 percent of states currently have legislation against human trafficking, but they are often uncomprehensive, unenforced, or ineffective.¹²⁷ The UNODC relates plainly that “even where legislation is enacted, implementation often falls short.”¹²⁸ Further, the UNODC, Global Report on Trafficking in Persons for 2014, shows there are still institutional barriers to progress, as it states, “Although this legislative progress is remarkable, much work remains. Nine countries still lack legislation altogether, whereas 18 others have partial legislation that covers only some victims or certain forms of exploitation.”¹²⁹

Lindsey King echoes this sentiment, stating, “One of the most problematic issues of eliminating trafficking is compliance with international law.”¹³⁰ Betz further claimed that many of the states in the region are only taking enough action “to deter criticism from the United States and other anti-trafficking organizations.”¹³¹ In developing states, the status of the local economy is affected by sex and labor trafficking. This economic imbalance potentially outweighs the state’s concerns over human trafficking, which may

¹²⁶Ibid., 78.

¹²⁷Preface to: UNODC, Global Report on Trafficking in Persons 2014, (United Nations publication, Sales No. E.14.V.10).

¹²⁸Ibid.

¹²⁹“Global Report on Trafficking in Persons 2014,” UNODC, 12.

¹³⁰Lindsey King, “Topical Research Digest: Human Rights And Human Trafficking,” *International Law and Human Trafficking*, accessed February 28, 2015, 88, <https://www.du.edu/korbel/hrhw/researchdigest/trafficking/InternationalLaw.pdf>.

¹³¹Diana L. Betz, “Human trafficking in Southeast Asia Causes and Policy Implications,” (master’s thesis Naval Postgraduate School, 2009), 81, <http://hdl.handle.net/10945/4768>.

explain state reluctance. As Sarah Sewall states, “all our normative progress against slavery matters little when states cannot uphold their laws.”¹³²

b. TIP and TOC

Although this thesis acknowledges that TIP figures are difficult to verify, TOC factors involving TIP, such as drug trafficking, appear to be more consistent. One example in an article by Picard relates, “By some estimates, global yearly economic loss to TOC in illegal drugs, human trafficking, and illegal fishing (combined) exceeds \$750 billion.”¹³³

In a United States Coast Guard’s vision report, it states “networks that evolve and mature for one illicit purpose have shown an increasing propensity to diversify their nefarious activities. In the next decade, the lines between networks initially formed for illicit activities including drug smuggling, human trafficking, or terrorist activity will continue to blur.”¹³⁴ Additionally, according to the research of Roby et al., “Human trafficking is often paired with other crimes such as drug trafficking, document forgery, money laundering, and human smuggling—all of which yield large dividends.”¹³⁵ Rear Admiral Charles Michel, the Director of the Joint Interagency Task Force South (JIATF-South), concurs and also declares that TOC represents “a highly mobile, disciplined, and well-funded adversary that threatens democratic governments, terrorizes populations, impedes economic development, and creates regional instability.”¹³⁶ He further states

¹³²Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” January 13, 2015, <http://www.state.gov/j/remarks/235934.htm#>.

¹³³Picard, J. (2013). Can We Estimate the Global Scale and Impact of Illicit Trade? In Miklaucic, M. and Brewer, J. (Eds.), *Convergence: Illicit Networks and National Security in the Age of Globalization* (pp. 37–60). NDU Press.

¹³⁴The U.S. Coast Guard’s Vision for Operating in the Western Hemisphere: Ensuring a Secure Nation, Prosperous Markets, and Thriving Oceans. 9, http://www.uscg.mil/seniorleadership/docs/uscg_whem_2014.pdf.

¹³⁵Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 510, doi: <http://dx.doi.org/10.1080/15362940802480241>.

¹³⁶*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 6.

that, “the tactics, techniques, and procedures employed by drug traffickers are methodologies that can be used by anyone wanting to move illicit people and/or cargo – including terrorists. The established routes, proven methods of conveyances, built-in logistics, communications, and command and control networks could be leveraged by a variety of groups seeking to do harm to the United States.”¹³⁷

Derrick Iwanenko et al. encapsulate this connection between trafficking, organized crime and terrorism. Their article shows the growing symbiotic relationship between these groups and claims that, “The line between terrorism and TOC has become increasingly blurred as these organizations discover common interests and learn from one another.”¹³⁸ The article further illustrates the connection between terrorists, TOC and drug trafficking, relating that “In 2010, the Department of Justice (DOJ) indicated that 29 of the 63 top drug trafficking organizations possessed links to terrorist organizations.”¹³⁹ In combatting TIP in Southeast Asia, states and institutions should focus on how these factors correlate. For instance, by combatting drug trafficking organizations (DTO), law enforcement may be able to share resources and data to also combat TIP. Additionally, as funding is interrelated, combatting one area of organized crime affects other avenues of illegal activity as well.

Drug Trafficking

According to an article written in August 2012 by the Arthur D. Simons Center for Interagency Cooperation, Coast Guard Rear Admiral James E. Rendon, director of JIATF West, “stressed the link between transnational organized crime in the Asia-Pacific region and U.S. national security, citing how organized crime rings funded by drug

¹³⁷*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 6.

¹³⁸Derrick Iwanenko et al., “Strategic Approach to Combat Transnational Organized Crime,” InterAgency Paper, no. 14W, November 2014, Arthur D. Simons Center for Interagency Cooperation, Fort Leavenworth, Kansas, 1.

¹³⁹*Ibid.*, 1.

trafficking can destabilize governments and foster extremism.”¹⁴⁰ Additionally, Admiral Michel argues that TOC “supported by the flow of cocaine and other contraband toward the United States and the rest of the global market, are negatively impacting citizen security.”¹⁴¹ Additionally, he notes the cyclic nature of DTO effects, declaring, “As illicit drugs move outward to the consuming markets, the money from illicit drug transactions returns to the source and transit regions, creating instability within our partner countries by promoting corruption and undermining legitimate financial institutions.”¹⁴²

The resources of DTO and other TOC groups could be addressed from a supply and demand perspective. Zarina Othman conducted a case study on drug trafficking as a transnational threat in Myanmar (Burma).¹⁴³ Her research concluded that DTOs pose a threat to national and global security at every level. She reasoned that efforts to combat narcotics were concentrated unevenly on supply versus demand, and that the center of effort in combating drug trafficking is in the Western Hemisphere, while Southeast Asia went mostly unnoticed by the international community. This is even more troubling as Southeast Asia is “one of the world’s largest suppliers of heroin.”¹⁴⁴

One example of organized crime in the cycle of human trafficking is through its connection to narcotics trafficking. An article written by Sebastian Rotella in 1994 points out that DTOs from Southeast Asia have been operating across oceans and land borders into the United States for at least two decades. The report claims that at that time, it was the “largest heroin seizure in Mexican history ... an unprecedented Asian-Mexican alliance that shipped Asian heroin into the United States through an unusual route: the

¹⁴⁰“Countertrafficking Efforts at JIATF West,” Arthur D. Simons Center for Interagency Cooperation, 2010 Command and General Staff College Foundation, Inc., <http://thesimonscenter.org/countertrafficking-efforts-at-jiatf-west/>.

¹⁴¹*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 2.

¹⁴²*Ibid.*, 2.

¹⁴³Zarina Othman, “Human Security in Southeast Asia: A Case Study of Illicit Drug Trafficking as a Transnational Threat in Myanmar (Burma),” (Ph.D. dissertation, University of Denver, 2002), <http://search.proquest.com/docview/60656573?accountid=12702>.

¹⁴⁴*Ibid.*

border.”¹⁴⁵ The Mexican federal police raids lasted almost a week and police seized 114.4 pounds of pure heroin worth well over \$20 million and arrested nine suspects, “four Thai nationals and one Laotian, all of them United States residents allegedly involved in smuggling the heroin into California in vehicles close to the border.”¹⁴⁶ The report mentions that Southeast Asian heroin was already commonly being shipped into places like New York and San Francisco. However, this border crossing method also involved international mail fraud between Ensenada traffickers Thai postal service workers.¹⁴⁷

In the early nineties, there was a drastic increase of ships “carrying U.S.-bound illegal immigrants from China resulted from a joint operation by Chinese and Mexican smuggling networks, causing a surge of Chinese immigrants trying to cross the border.”¹⁴⁸ Rotella’s article demonstrates two key points for this thesis - TOC affects U.S. national security even in unexpected ways, and Southeast Asian TOC is far-reaching and heavily involved in narcotics and TIP.

Many institutions still have not researched all the ramifications of current efforts to combat the unique situations caused by DTO. According to a review written by Sverre Molland, “few attempts have been made in bringing together these different forms of ‘trafficking,’ both conceptually and empirically.”¹⁴⁹ The review shows that Burma has inter-ethnic tension which is fueled as “semiautonomous armed groups depend on drug production.”¹⁵⁰ The review also claims that the fight against drugs in Thailand is

¹⁴⁵Sebastian Rotella, “Mexican Police make Record Heroin Seizure Trafficking: Authorities Break Up an Unusual International Alliance Involving Smuggling Teams in Southeast Asia and Mexico Transporting Narcotics into California. Nine People are Arrested.” Los Angeles Times (Pre-1997 Fulltext), Jan 17, 1994, <http://search.proquest.com/docview/282175319?accountid=12702>.

¹⁴⁶Ibid.

¹⁴⁷Sebastian Rotella, “Mexican Police make Record Heroin Seizure Trafficking: Authorities Break Up an Unusual International Alliance Involving Smuggling Teams in Southeast Asia and Mexico Transporting Narcotics into California. Nine People are Arrested.” Los Angeles Times (Pre-1997 Fulltext), Jan 17, 1994, <http://search.proquest.com/docview/282175319?accountid=12702>.

¹⁴⁸Ibid.

¹⁴⁹Sverre Molland, “An Atlas of Trafficking in Southeast Asia: The Illegal Trade in Arms, Drugs, People, Counterfeit Goods and Natural Resources in Mainland Southeast Asia,” *Southeast Asian Studies* 3, no. 2 (08, 2014): 444–447, <http://search.proquest.com/docview/1616526209?accountid=12702>.

¹⁵⁰Ibid., 444–447.

“directly related to out-migration, prostitution, and human trafficking in Northern Thailand.”¹⁵¹ The author relates that increases in border control cause more dangerous smuggling operations and applies a Feingold approach recounting that the differences between illicit and illegal cause problems in the approach of a state, just as the differences between smuggling and trafficking.¹⁵²

There are differing schools of thought on how best to address DTO and other forms of TOC. Many, including this thesis, argue that a focused approach to multi-lateral and inter-agency cooperation is needed to deter and prosecute those involved. Conversely, Othman counters the argument that the security of the state is paramount, instead claiming that it is the security of the population or basic human security that should be the focus to eliminate the drug problem within SE Asia. In her study of Myanmar, she reduces the problem into two base issues of “basic human needs not being met, and human rights violations.”¹⁵³ She declares that DTOs cannot be fought via law enforcement alone, but should address the basic needs of people as well to be effective.¹⁵⁴ This shows the correlation to the aforementioned elements of TIP in the region. As poverty and basic human rights are addressed, this may have an impact on drug trafficking, which is connected to the fight against TIP.

Regardless of the approach, many sources agree that DTO cause a significant threat to national security and regional stability. Additionally, experts agree that DTOs are a centrifugal force in the overall funding cycle of TOC. As TOC actors are responsible for TIP as well, a focused effort to combat one affects all forms of TOC.

¹⁵¹Sverre Molland, “An Atlas of Trafficking in Southeast Asia: The Illegal Trade in Arms, Drugs, People, Counterfeit Goods and Natural Resources in Mainland Southeast Asia,” *Southeast Asian Studies* 3, no. 2 (08, 2014): 444–447, <http://search.proquest.com/docview/1616526209?accountid=12702>.

¹⁵²Ibid. , 444–447.

¹⁵³Zarina Othman, “Human Security in Southeast Asia: A Case Study of Illicit Drug Trafficking as a Transnational Threat in Myanmar (Burma),” (Ph.D. dissertation, University of Denver, 2002)<http://search.proquest.com/docview/60656573?accountid=12702>.

¹⁵⁴Ibid.

C. CONCLUSION

There are several elements that effect TIP in Southeast Asia, and a variety of institutions in place to address each of them. However, this is a regional struggle that requires greater intervention from the international community, with very precise methods of cooperation. For instance, Mohamed et al. claim that ASEAN is failing at efforts to combat trafficking because of a cultural norm in the region anecdotally dubbed “mind your own business.”¹⁵⁵ This cultural barrier is made worse by elements of TIP discussed in this chapter, and should be addressed in order to move forward with the fight against TIP.

The human trafficking conditions specific to Southeast Asia raise a difficult challenge, but with coordinated effort, progress can be made. States in the Asia-Pacific could address the elements of TIP internally, building better government and institutional frameworks. These states should also take advantage of all of the IGO and NGO resources available to them in order to combat TIP. Yury Fedotov, the Executive Director for UNODC, stated that combating human trafficking requires increased cooperation between states and institutions. In addition, he declares that states should share lessons learned, provide legal assistance to one another, conduct joint operations and work on strategies with the international community, “as well as the cooperation of key stakeholders such as civil society, the private sector and the media.”¹⁵⁶ However, these ideals often face resistance as many states are slow to change, and only contribute as much as they are coerced into doing so by the international community. As an Australia-based NGO, the Walk Free Foundation relates, “What the results show is that a lot is being done on paper but it’s not necessarily translating into results.”¹⁵⁷ The WFF also shows that most states scored low on their index of victim assistance and they report that

¹⁵⁵Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 172–173, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

¹⁵⁶UNODC General Assembly reviews efforts to combat human trafficking, accessed on 7 February 2015, <http://www.unodc.org/unodc/en/frontpage/2013/May/general-assembly-reviews-efforts-to-combat-human-trafficking.html?ref=fs1>.

¹⁵⁷Palermo Protocol, “India tops slavery index with 14.3 million victims for second successive year,” Last modified November 26, 2014, <http://www.palermoprotocol.com/index.php/component/k2/item/3866-india-tops-slavery-index-with-143-million-victims-for-second-successive-year>.

“out of 167 countries we could only find three (Australia, Brazil and the United States) where governments have put things in place on supply chains.”¹⁵⁸

The United States Coast Guard released their vision in the Western Hemisphere. Although not directed at Southeast Asia, this report contains a statement that encapsulates the heart of combatting TIP in this region. The report states, “Initiatives to strengthen and fortify effective governance and cooperation... must address the destabilizing impacts of violence, corruption, terrorism, natural disasters, and trafficking in drugs, humans, and arms. The success and profit of illicit networks represent a cycle of compounding loss to free nations and markets.”¹⁵⁹

¹⁵⁸Palermo Protocol, “India tops slavery index with 14.3 million victims for second successive year,” Last modified November 26, 2014, <http://www.palermoprotocol.com/index.php/component/k2/item/3866-india-tops-slavery-index-with-143-million-victims-for-second-successive-year>.

¹⁵⁹The U.S. Coast Guard’s Vision for Operating in the Western Hemisphere: Ensuring a Secure Nation, Prosperous Markets, and Thriving Oceans, 9, http://www.uscg.mil/seniorleadership/docs/uscg_whem_2014.pdf.

III. TIP AND U.S. NATIONAL SECURITY INTERESTS IN SOUTHEAST ASIA

This chapter focuses on how TIP is a threat to U.S. national security and how strategy is written to combat the elements of trafficking. Human trafficking is a “threat which is capable of endangering the security and sovereignty of a country.”¹⁶⁰ Mohamed et al. claim that TIP is the “world’s third largest profiting transnational organized crime, after drugs and weapons trafficking.”¹⁶¹ National security is closely linked with human security, as the security of the population is the primary concern of the state. Mohamed et al. state that security issues are not just those involving armed conflict between states, but also human rights violations, “massive non-voluntary human migration, international terrorism, health issues, smuggling, natural disasters and many more.”¹⁶²

During the 2014 annual meeting of the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons, U.S. Secretary of State John Kerry declared “combatting human trafficking is both a moral imperative and a national security issue.”¹⁶³ His thoughts were in line with that of Pope Francis, who stated, “when any man, woman or child is enslaved anywhere, it’s a threat to peace, justice and human dignity everywhere.”¹⁶⁴ This message was then translated into a national security issue as Deputy National Security Advisor, Tony Blinken, delineated that the illicit networks that traffic people, also traffic narcotics and weapons. As Blinken states, these networks “feed conflict, they feed instability, they undermine public health. And so dealing with these networks also advances our national security.”¹⁶⁵

¹⁶⁰Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 168, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

¹⁶¹Ibid., 168.

¹⁶²Ibid., 169.

¹⁶³“Human Trafficking is Moral, National Security Issue, U.S. Secretary Kerry Says.” AllAfrica.Com, Apr 11, 2014, <http://search.proquest.com/docview/1515783736?accountid=12702>.

¹⁶⁴Ibid.

¹⁶⁵“Human Trafficking is Moral, National Security Issue, U.S. Secretary Kerry Says.” AllAfrica.Com, Apr 11, 2014, <http://search.proquest.com/docview/1515783736?accountid=12702>.

A. U.S. NATIONAL SECURITY STRATEGY

As human trafficking is linked with other forms of trafficking and transnational organized crime, it creates a unique problem set globally and regionally. This is a problem that affects regional stability and individual state's national security, including that of the United States. Policy for the security strategy is dictated in the U.S. National Security Strategy (NSS), which is scheduled for release every two years, depending on the president's approval. The last two published are from 2010 and the recently released 2015 strategy. These two documents have some differences based on changes in the geopolitical climate over the last five years. However, they do correlate that action is mandated to combat TIP in various ways.

The U.S. National Security Strategy frames the ways in which trafficking effects U.S. national security. This strategy shows that trafficking effects economic strength, and that to address this, the United States should reduce poverty, promote trade, and increase financial transparency.¹⁶⁶ The NSS also dictates that the United States plans to coordinate with and build strong state governments, as trafficking is similarly correlated to weak governance and corruption. Additionally, vulnerable populations and transnational movement affect U.S. national security. As the NSS relates, global trafficking issues are a national security concern as, "the United States is safer and stronger when fewer people face destitution, when our trading partners are flourishing, and when societies are freer."¹⁶⁷

¹⁶⁶United States National Security Strategy 2015, 3–4,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

¹⁶⁷Ibid., 3–4.

1. Economic Stability

The introduction to the 2015 National Security Strategy, declares that, “America’s growing economic strength is the foundation of our national security and a critical source of our influence abroad.”¹⁶⁸ The NSS also dictates that through focusing on regional economic and trade improvements, the United States plans to “promote financial transparency and prevent the global financial system from being abused by transnational criminal and terrorist organizations to engage in, or launder the proceeds of illegal activity.”¹⁶⁹

The report that new strategic focus for the United States is on the Pacific, and its trade and investment opportunities in a region of almost half the world’s total trade. One of the ways the NSS claims the United States hopes to secure these opportunities is through regional stability, as the report declares that the United States plays “a leading role in defining the international community’s post-2015 agenda for eliminating extreme poverty and promoting sustainable development while prioritizing women and youth.”¹⁷⁰

Additionally, the NSS poses that globalization offers stability through the “increasing interdependence of the global economy.”¹⁷¹ Technological advances allow corporations and individuals to connect beyond traditional government routes, which opens up opportunities previously unimaginable. However, he also warns that this same phenomenon of globalization also produces regional susceptibilities, via “climate change, malicious cyber activity, pandemic diseases, and transnational terrorism and crime.”¹⁷²

Throughout the NSS, the report ties economic success to U.S. national security, and dictates that in order for the United States to prosper, it is imperative to support the Asia-Pacific region. Through efforts to improve state governments and strengthen

¹⁶⁸United States National Security Strategy 2015, i,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

¹⁶⁹Ibid., 15.

¹⁷⁰Ibid., 1.

¹⁷¹Ibid., 3–4.

¹⁷²Ibid., 3–4.

economic interdependence, the United States hopes to improve international security and fortify interests in the region.¹⁷³

2. Weak Governance

It is the responsibility of government to ensure the security and sovereignty of the state. As such, the effects of TIP on a state's security should be of direct concern to the government. To address TIP, state leadership should focus on the movement of undocumented personnel, money exchanged and laundered through other forms of trafficking, and consequent growth of transnational organized crime, as national security concerns. According to the NSS, "Failing states breed conflict and endanger regional and global security. Global criminal networks foment insecurity abroad and bring people and goods across our own borders that threaten our people."¹⁷⁴

By continuing to focus on building strong state governance, states can secure the population from extremists and violent non-state actors, and decrease the chances of government instability. The NSS shows that the United States intends to aid in these efforts via coordination with multilateral organizations, combating conflict at its source through prevention.¹⁷⁵

As stated in the NSS, corruption and weak governance make a state susceptible to "infectious disease, illicit weapons and drug smugglers, and destabilizing refugee flows."¹⁷⁶ Accordingly, the NSS promises that the United States will focus on "significant security consequences associated with weak or failing states (including mass atrocities, regional spillover, and transnational organized crime)."¹⁷⁷

¹⁷³United States National Security Strategy 2015, 6,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

¹⁷⁴Ibid., 8.

¹⁷⁵Ibid., 10.

¹⁷⁶Ibid., 1–2.

¹⁷⁷Ibid., 1–2.

3. Vulnerable Populations

The vulnerability of people in Southeast Asia plays a significant part in TIP as people attempting to escape from poverty and natural disasters become more susceptible to smuggler and traffickers. According to the IOM, Southeast Asia has “the highest number of Internally Displaced Persons (IDP) in the world.”¹⁷⁸ The IOM shows that there was a seventy percent increase in IDP in the region from 2005 to 2010, rising from 2.7 million to 4.6 million people displaced during this five year period.¹⁷⁹

The IOM has led “over 100 projects in the region” supporting victims of natural disasters.¹⁸⁰ As mentioned in chapter II, migration issues make people increasingly vulnerable to traffickers and transnational criminal organizations. Environmental factors play a large part in migration flow as people flee from “harsh or deteriorating conditions.”¹⁸¹ Additionally, estimations of climate change in the near future indicate that migration flow and displaced persons will increase, with little in place prepared for this global shift.¹⁸²

According to the Walk Free Foundation, conflict contributes to slavery directly. Their report provides the Islamic State militant group as an example, “which has abducted women and girls in Iraq and Syria for use as sex slaves.”¹⁸³ Furthermore, the WFF report relates that the correlation between the vulnerable people in conflict ending up in slavery “really is quite strong so as an international community, we need to make planning for this kind of problem part of the humanitarian response to crisis situations.”¹⁸⁴

¹⁷⁸International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 22, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

¹⁷⁹Ibid., 22.

¹⁸⁰Ibid., 23–24.

¹⁸¹Ibid., 23–24.

¹⁸²Ibid., 23–24.

¹⁸³Palermo Protocol, “India tops slavery index with 14.3 million victims for second successive year,” last modified 26 November 2014, <http://www.palermoprotocol.com/index.php/component/k2/item/3866-india-tops-slavery-index-with-143-million-victims-for-second-successive-year>.

¹⁸⁴Ibid.

4. Regional Stability

The Asia-Pacific region is greatly affected by these elements of TIP, and in a cyclical manner, these factors affect regional stability, just as instability contributes to TIP. The overall economic, geographic, and population size of the region also plays a role in regional instability. Additionally, at either end of Southeast Asia are two growing hegemony, India and China, which contribute to regional stability, but simultaneously also contribute to the elements of TIP.

The IOM states that the Asia-Pacific region is over half of the world's population, with over fifty percent of global GDP and an estimated 27.5 million migrants, 4.3 million of which are internal to the region.¹⁸⁵ They also note that India and China are major contributors to trafficking and “have become simultaneous countries of origin, transit, and destination.”¹⁸⁶ This means that an “estimated 43 percent of migrants move within the region.”¹⁸⁷ India is also in the top ten remittance-receiving countries, which ties back in to the economic interdependence between migration and transnational organized crime.¹⁸⁸

The Walk Free Foundation now has a slavery index reporting on assessed number of victims of 167 states. From that index, India now tops the list for total number of slaves for the second year. They relate that India shows “up to 14.3 million people in its population of 1.25 billion were victims of slavery, ranging from prostitution to bonded labour.” Additionally, on the other side of Asia, the growing regional hegemon of China was second on the index, with an estimated 3.2 million people enslaved in the state.¹⁸⁹

¹⁸⁵International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 4–6, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

¹⁸⁶*Ibid.*, 4.

¹⁸⁷*Ibid.*, 4.

¹⁸⁸*Ibid.*, 4.

¹⁸⁹Palermo Protocol, “India tops slavery index with 14.3 million victims for second successive year,” Last modified November 26, 2014, <http://www.palermoprotocol.com/index.php/component/k2/item/3866-india-tops-slavery-index-with-143-million-victims-for-second-successive-year>.

B. U.S. NATIONAL SECURITY STRATEGY IN SOUTHEAST ASIA

The U.S. national security strategy shows that there is an international focus on the interests of the United States. This means that the United States is not just concerned with homeland defense or policy of North America, but with projects around the globe. Additionally, the NSS shows that the Asia-Pacific and specifically Southeast Asian region is of importance to U.S. national security.

1. U.S. National Security Strategy in Southeast Asia

The 2010 NSS states that the United States will combat TIP via domestic and international law enforcement, as well as provide support in the areas of education, employment, micro-finance, and international and societal institutions such as the UN, G-20, and Organization for Economic Cooperation and Development (OECD).¹⁹⁰ The report also affirms the United States will combat corruption financial transparency by increasing “accountability to government budgets, expenditures, and the assets of public officials.”¹⁹¹ Through this and other financial structuring, the goal of the NSS is to “make it harder for officials to steal and to strengthen the efforts of citizens to hold their governments accountable.”¹⁹²

The United States has a vested interest in combatting TIP at home and abroad. Southeast Asia is of principal concern as it has become the primary area of strategic focus for the United States, and is particularly susceptible to the national security issues mentioned in the previous section. The 2010 NSS states that the United States will support the UN and other institutional efforts to combat transnational threats such as drug-trafficking and counterterrorism, among other national security issues.¹⁹³

According to the Chairman of the Joint Chiefs of Staff, General Martin Dempsey, there are six security interests that he derived directly from the National Security

¹⁹⁰United States National Security Strategy 2010, 38,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

¹⁹¹Ibid., 38.

¹⁹²Ibid., 38.

¹⁹³United States National Security Strategy 2010, 46,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

Strategy.¹⁹⁴ Three of his six resulting interests directly relate to combatting TIP in the Pacific. In his review of the Quadrennial Defense Review (QDR), he states these interests as “The security of the global economic system; the security, confidence, and reliability of our allies; and the preservation and extension of universal values.”¹⁹⁵

a. *Trafficking Victims and Personally Identifiable Information*

One difficult aspect of human trafficking that is a cause for concern, as pointed out by Mohammed, et al., is the verification of details provided to rescuers and interceptors of TIP victims. For various reasons, victims do not fully divulge personal information, such as point of origin, name, or nationality.¹⁹⁶ This can become a national security concern as personnel treated as victims may stay in country for extended lengths of time. This links back to the discussions in Chapter II about vulnerable people and fraudulent documents. Additionally, without documentation or identification, some of these personnel could be linked terrorists or criminal organizations, which is a national issue that the United States should be concerned with.

According to the IOM, the use of illegal documents, including “counterfeit, forged, stolen, and other types of fraudulent travel documents” are some of the methods that traffickers and smugglers use to accomplish moving people.¹⁹⁷ The IOM further considers this to be an underdeveloped issue within border patrol forces, especially in the Asia-Pacific region. Accordingly, border patrol officials need increased training and better detection equipment to combat this issue.¹⁹⁸

(1) Connections to Organized Crime

¹⁹⁴U.S. Department of Defense, Quadrennial Defense Review, 2014, 60, http://www.defense.gov/pubs/2014_Quadrennial_Defense_Review.pdf.

¹⁹⁵U.S. Department of Defense, Quadrennial Defense Review, 2014, 60, http://www.defense.gov/pubs/2014_Quadrennial_Defense_Review.pdf.

¹⁹⁶Ahmad S. Mohamed et al., “The Phenomenon of Human Trafficking Activities in Southeast Asia,” *International Journal of Humanities and Social Science* 1, no. 13 (Special Issue – September 2011), 169, http://www.ijhssnet.com/journals/Vol_1_No_13_Special_Issue_September_2011/22.pdf.

¹⁹⁷International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” 19, 21, <http://www.iom.int/files/live/sites/iom/files/Country/docs/AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

¹⁹⁸*Ibid.*, 19, 21.

Transnational criminal organizations pose a threat to U.S. national security and regional stability, effecting the economy, governments, and livelihood of the people of Southeast Asia. Rear Admiral Charles Michel states, “Illicit trafficking poses a serious threat to our national security, presenting a formidable challenge not only for the United States but for our international partners as well.”¹⁹⁹ He further asserts that the cyclical funding of TOC allows criminals to “challenge nations by exacerbating corruption and undermining governance, rule of law, judicial systems, free press, democratic institution-building, and transparency.”²⁰⁰ As stated in the 2010 NSS, TOC groups “continue to expand dramatically in size, scope, and influence—posing significant national security challenges for the United States and our partner countries.”²⁰¹ The report also states that these organizations destabilize government institutions through corruption, amass immense wealth and power through trafficking, and disrupt state and commercial financial institutions, which negatively impacts the market.²⁰²

The 2010 NSS describes the United States policy requirements as a “multidimensional strategy.”²⁰³ Accordingly, this policy will protect U.S. citizens, and “breaks the financial strength of criminal and terrorist networks, disrupts illicit trafficking networks, defeats transnational criminal organizations, fights government corruption, strengthens the rule of law, bolsters judicial systems, and improves transparency.”²⁰⁴ This shows that the United States policy makers have been aware of the threat from TOC for several years, and are mandating that agencies combat it via the elements discussed in Chapter II.

¹⁹⁹*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 2.

²⁰⁰*Ibid.*, 2.

²⁰¹United States National Security Strategy 2010, 16,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

²⁰²*Ibid.*, 16.

²⁰³United States National Security Strategy 2010, 49,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

²⁰⁴*Ibid.*, 49.

b. Connections to Terrorism and Funding Terrorism

The United States has considered human trafficking as both a human rights and a national security issue, as addressed in the 2006 National Security Strategy, showing this has been a consistent message from policy-makers in the United States.²⁰⁵ Betz further states that the United States has acknowledged the link between TIP and terrorism, claiming that “many of the networks which are used for the trafficking of humans are the same as those that terrorist organizations utilize to traffic arms, drugs, and money.”²⁰⁶

The 2010 NSS addresses that trafficking assists terrorists and claims that “the crime-terror nexus is a serious concern as terrorists use criminal networks for logistical support and funding.”²⁰⁷ The report also demonstrates that this interstice has tertiary challenges for the region, “which cost consumers billions of dollars annually, while undermining global confidence in the international financial system.”²⁰⁸

Sarah Sewall states that the connection between trafficking and terrorism is not a new one. She recalls the “language schools that sex traffickers used as visa mills were the institutes that provided visa paperwork to the 9/11 hijackers—but the connection between terrorism and trafficking has been brought to the fore by ISIL and Boko Haram.”²⁰⁹ The nature of the group and allows for extreme treatment of those trafficked or captured by ISIL. In a recent communique, the terrorist organization proclaimed it is “‘permissible’ to have sexual intercourse with, beat, and trade non-Muslim slaves, including young girls.”²¹⁰

Additionally, Derrick Iwanenko et al. show that TOC provides significant funding and resource support to terrorist activities, claiming “criminal organizations may pay

²⁰⁵United States National Security Strategy 2006, 1–6, http://www.hsdl.org/?collectionandid=4#National_Security.

²⁰⁶Diana L. Betz, “Human trafficking in Southeast Asia Causes and Policy Implications,” (master’s thesis Naval Postgraduate School, 2009), 74, <http://hdl.handle.net/10945/4768>.

²⁰⁷United States National Security Strategy 2010, 49, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

²⁰⁸Ibid., 49.

²⁰⁹Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” January 13, 2015, <http://www.state.gov/j/remarks/235934.htm#>.

²¹⁰Ibid.

terrorist groups for security support, armed protection, and safe passage of contraband through terrorist-controlled territories.”²¹¹ In response, Rear Admiral Charles Michel states, “The mission to counter transnational organized crime and illicit trafficking cannot be viewed in isolation from our efforts to combat terrorism, because the patterns, tactics, and techniques employed by traffickers are the same as the methodologies used by anyone wanting to move illicit people or cargo—including terrorists.”²¹² As this thesis shows, combatting TIP is an intricate process, involving transnational criminal organizations, drug traffickers, smugglers, and links to terrorist. Combatting TIP requires a multi-angle approach that combats each of these links to be effective.

2. Maritime Security Concerns

To combat trafficking and transnational organized crime in Southeast Asia efforts should take into account the inherent need to secure the sea. A great deal of trafficking and smuggling within the region is conducted via the sea as discussed in Chapter II. Currently, the United States lacks policy concerning trafficking in Southeast Asia, and instead focuses on Freedom of Navigation and open Sea Lines of Communication in the region.

As the United States does not have a maritime trafficking focus in the region, this thesis draws research on the maritime aspect of combatting trafficking from the UN as the closest available methodology. Although the 2014 UNODC Maritime Crime Programme annual report also does not address issues concerning Southeast Asia specifically, this sector of the UNODC does portray the necessity for maritime security *en mass*. The MCP poses that over 90 percent of global trade is conducted at sea, and transnational criminal organizations conducting maritime operations threatens “the safety

²¹¹Derrick Iwanenko et al., “Strategic Approach to Combat Transnational Organized Crime,” InterAgency Paper no. 14W, November 2014, Arthur D. Simons Center for Interagency Cooperation, Fort Leavenworth, Kansas, 1–2.

²¹²*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 6.

of seafarers, international trade and regional stability.”²¹³ The focus of the UNODC MCP is predominantly concerned with maritime crime in the Horn of Africa and Indian Ocean. If a separate branch was developed or the United States mirrored this approach for Southeast Asia, this could potentially contribute to the reduction of trafficking in the region.

C. TIP AND U.S. NATIONAL SECURITY STRATEGY IN SOUTHEAST ASIA

TIP is prevalent in Southeast Asia and effects U.S. national security and its interests in the region. Additionally, criminal organizations are responsible for the coercion and movement of vulnerable people, and TIP funds their narcotics and weapons trades as well. Therefore, the best connection between TIP and the strategy of the United States in the region may be through strategic applications associated with TOC.

According to the Deputy Assistant Secretary of Defense for Counter-narcotics and Global Threats, William J. Lynn III, “Transnational criminal organizations are posing a not-very-well-understood, but growing, threat to the United States,”²¹⁴ TIP and TOC are related and prevalent in Southeast Asia, but governments are still struggling with answers.

The National Security Council’s 2011 Transnational Organized Crime report addresses TOC in the Asia-Pacific region as a growing threat that affects global and regional stability, as well as U.S. national security directly. This report shows the scope of connection between drug traffickers and regional and global economies, in addition to the flow of TIP directly to U.S. shores. One prominent case portrayed in the strategy relates how interstitial trafficking is between the United States and the Asia-Pacific region, as it recounts the case of one convicted trafficker, “Cheng Chui Ping, who

²¹³UNODC Maritime Crime Programme, accessed March 25, 2015, <http://www.unodc.org/unodc/en/piracy/index.html?ref=menuaside>.

²¹⁴Cheryl Pellerin, American Forces Press ServiceDefense.gov News Article: Lynn Opens Countertrafficking Command Center, 18 April 2011, 1.

smuggled more than 1,000 aliens into the United States during the course of her criminal career, sometimes hundreds at a time.”²¹⁵

According to the 2011 TOC Strategy, the United States has also found links to severe intellectual property theft, as well as ties between the North Korean government and TOC in the production of counterfeit U.S. currency, which also affects the global economy. These combined regional TOC concerns led the United States to declare that they will work with multilateral and multinational efforts to “develop a comprehensive response.”²¹⁶

D. CONCLUSION

This chapter has shown that the United States National Security Strategy finds that trafficking is a national security concern. Additionally, TIP is shown to be connected to transnational organized crime and terrorism. In order to combat TIP, organized crime, maritime security, and other elements in Southeast Asia should be collectively addressed. Further, this chapter has shown that the United States National Security Strategy dictates that several factors effecting TIP, such economic stability, weak governance, vulnerable populations, and regional stability, are also concerns in the overall strategy of U.S. interests. While the NSS addressed trafficking as an issue, and Southeast Asia as a center of strategic focus, there is a clear disconnect between the two.

²¹⁵National Security Council, Strategy to Combat Transnational Organized Crime, Transnational Organized Crime: Chapter II, A Growing Threat to National and International Security, 11, <http://www.whitehouse.gov/sites/default/files/microsites/2011-strategy-combat-transnational-organized-crime.pdf>.

²¹⁶*Ibid.*, 11.

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IV. U.S. EFFORTS TO COMBAT TIP

This chapter addresses efforts by the United States to combat TIP domestically, regionally, and world-wide. This approach is beneficial in showing the correlation of TIP globally locally, regionally, and globally. The United States combats trafficking in a variety of ways: locally chiefly via law enforcement agencies, regionally in Southeast Asia the U.S. DOS coordinates mostly with state governments, and globally the United States encourages actions within IGOs and NGOs.

A. U.S. EFFORTS ON THE HOMEFRONT

The United States still has a significant TIP problem at home, with roughly 17,000 people trafficked in annually. As Jini Roby et al. state, “Nearly a decade after passing the Trafficking Victims and Protection Act (TVPA) to address human trafficking, the U.S. is still grappling to balance punishing traffickers and protecting victims.”²¹⁷

The United States is combatting TIP at home in conjunction with other forms of trafficking via policy changes, interagency coordination, and tactical employment of assets. Policy changes over the last two decades include the TVPA, the TIP strategy, and the TOC strategy, among others. These policies changes have also led to interagency, law enforcement, and some minor DOD coordination. As such, these various institutions are sharing tactics, techniques, and procedures, including the sharing of new technologies. The United States has seen that it takes this kind of multi-faceted approach to truly effect change. Understanding this multi-faceted approach may assist in framing increased effectiveness of efforts abroad. Additionally, U.S. domestic efforts articulate with trafficking patterns that originate in Southeast Asia.

²¹⁷Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 508, doi: <http://dx.doi.org/10.1080/15362940802480241>.

1. Policy Efforts

Fifteen years ago in the United States, anyone discovered without legal identification was treated as an illegal immigrant.²¹⁸ This inevitably meant that “both victims and perpetrators were prosecuted and punished by fines or jail terms under the Mann Act (18 U.S.C. § 1581–1588).”²¹⁹ Since that time, the United States has created and reshaped several policies in the last two decades to better combat TIP. These policy efforts are characterized by the increased focus on the safety of women and children. Some of the more impactful policies include the TVPA in 2000, which was recently reauthorized in 2013 to include greater provisions for the protection of women and children, and the TOC Strategy in 2011. Additionally, the DOS TIP Office has a three tier system and tracks international and domestic TIP progress annually, with the most recent report in 2014.

a. TIP Strategy

The DOS annual TIP report introduced metrics for assessing compliance and effectiveness with respect to human trafficking. Ambassador at Large, Luis CdeBaca, said that the United States began reporting TIP statistics at home in 2010.²²⁰ The annual TIP report is comprised of eleven standards that each state must meet in order to be considered Tier 1 compliant. These eleven standards state that a government should take adequate steps to prevent trafficking, provide punishment to both traffickers and those who commit acts against victims such as sexual assault, and “make serious and sustained efforts to eliminate severe forms of trafficking in persons.”²²¹ The standards are the same minimum standards that the United States applies to all countries in the annual TIP

²¹⁸Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 511, doi: <http://dx.doi.org/10.1080/15362940802480241>.

²¹⁹*Ibid.*, 511.

²²⁰“Trafficking in Persons Report 2014,” U.S. Department of State, accessed March 15, 2015, 425, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

²²¹*Ibid.*, 425.

report. In his reasoning, “we owed it to ourselves to apply that diagnostic and to see where we could be doing better as the United States.”²²²

The U.S. DOS TIP Office agrees that there needs to be real coordination, and “an integrated response to human trafficking that leverages resources and amplifies results.”²²³ They also point out, however, that this is not an easy task. Anyone that has worked on an interagency project of any kind knows that communication and organizational culture differences sometimes causes barriers, or at least slows down progress. Yet, the TIP Office claims that this is worth the effort and can make a difference in the long run. An official statement from the TIP Office declares, “The United States engages in robust interagency coordination and advocates that other foreign governments undertake interagency coordination efforts as well.”²²⁴ As research from Betz shows, the DOS is putting forth funds to equate to their claims of effort. As she notes, the agency recently spent over \$12.4 million in one year toward global anti-trafficking programs.²²⁵

b. TVPA

Roby et al. place efforts of the TVPA into three main categories consisting of protection and victim assistance; criminal prosecution for traffickers, and “U.S. efforts to prevent human trafficking in other countries.”²²⁶ Another key highlight from the article shows that victims may be offered a temporary visa and allowed to remain in the United States for an extended period while receiving assistance and prosecuting their traffickers. Additionally, they report that “the United States is currently the only country that offers

²²²Luis CdeBaca, “Briefing on the Trafficking in Persons Report 2014,” Political Transcript Wire, Jun 20, 2014, <http://www.state.gov/j/tip/rls/rm/2014/228067.htm>.

²²³U.S. Department of State, Interagency Task Force to Monitor and Combat Trafficking, U.S. Government Response, accessed March 15, 2015, <http://www.state.gov/j/tip/response/index.htm>.

²²⁴Ibid.

²²⁵Diana L. Betz, “Human trafficking in Southeast Asia Causes and Policy Implications,” (master’s thesis Naval Postgraduate School, 2009), 74, <http://hdl.handle.net/10945/4768>.

²²⁶Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 512, doi: <http://dx.doi.org/10.1080/15362940802480241>.

the possibility of permanent residency to victims of trafficking.”²²⁷ Lastly, the article mentions that trafficking victims may be offered the same benefits received by refugees and those seeking asylum, including “food stamps, Medicaid, temporary assistance to needy families, supplemental security income, and other benefits, assuming they meet the program criteria.”²²⁸

According to remarks by Sarah Sewall, the Under Secretary for Civilian Security, Democracy, and Human Rights, we are now looking at “the next layer of challenges facing those committed to ending human slavery.”²²⁹ It has been fifteen years since the TVPA and the UN Palermo Protocols were made effective. The U.S. TVPA now tracks the level of effort for 188 states and territories in their fight against TIP, and provides recommendations to the President for action with global leaders. Additionally, since that time, 166 states have ratified the UN Protocols, and as she claims, we are moving steadfast from TIP being a problem of awareness and low priority, to a global position of action by world leaders.²³⁰

c. TOC Strategy

The United States National Security Council released the Strategy to Combat Transnational Organized Crime in 2011. It states that Transnational Organized Crime (TOC) is an emerging threat to national and international security that has, “dire implications for public safety, public health, democratic institutions, and economic stability across the globe.”²³¹ Additionally, the growing threat of TOC is now a source of

²²⁷Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 516, doi: 10.1080/15362940802480241, <http://dx.doi.org/10.1080/15362940802480241>.

²²⁸*Ibid.*, 516.

²²⁹Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” January 13, 2015, <http://www.state.gov/j/remarks/235934.htm#>.

²³⁰*Ibid.*

²³¹National Security Council, Strategy to Combat Transnational Organized Crime, Transnational Organized Crime: Chapter II, A Growing Threat to National and International Security, 5, <http://www.whitehouse.gov/sites/default/files/microsites/2011-strategy-combat-transnational-organized-crime.pdf>.

several of these individually mentioned concerns that were previously handled separately, and now have the combined capacity to cause global harm.²³²

At home, the United States TOC strategy focuses on the threats from Mexico and Central America. From there, the combination of narcotics, weapons, and human trafficking are causing instability within the United States and Latin American region, and directly within many states. For example, the TOC strategy relates that organized crime may affect up to eight percent of some Central American state's GDP.²³³ According to the report, the Mexican government is combating organized criminals that are conducting illegal operations ranging from "drug trafficking into human smuggling and trafficking, weapons smuggling, bulk cash smuggling, extortion, and kidnapping for ransom."²³⁴ As the strategy points out, these organizations are a threat to national security, allowing the border between the United States and Mexico to remain porous to "secondary criminal or terrorist actors or organizations."²³⁵ Lessons learned from combating transnational organized crime in the Western hemisphere has shown that criminals involved in trafficking will move between territories and forms of crime in order to stay in business.

2. Border Patrol and DOD Coordination

The integration of DOD assets into Border Patrol functions has proved to be a force multiplier in the fight against TIP. The access to technology and personnel possible through this coordination is another way of showing the effectiveness of multi-agency cooperation models. This also highlights one avenue of forward movement on policy directives.

²³²National Security Council, Strategy to Combat Transnational Organized Crime, Transnational Organized Crime: Chapter II, A Growing Threat to National and International Security, 5, <http://www.whitehouse.gov/sites/default/files/microsites/2011-strategy-combat-transnational-organized-crime.pdf>.

²³³Ibid., 9.

²³⁴Ibid., 9.

²³⁵Ibid., 9.

In the United States, the United States Border Patrol (USBP) carries a great deal of the burden to combat trafficking of all kinds, including TIP on American soil. The USBP is now using what they call the Consequence Delivery System (CDS), to “identify the ideal consequences to deliver to impede and deter further illegal activity.”²³⁶ The CDS was developed to ensure prosecution of those involved in trafficking and make it cost prohibitive for illegal immigrants to reconnect with smugglers for repeated entry attempts. What began as a problem solely based on illegal immigration, is now a national security concern that stretches the globe, and has seen increasing prioritization since the infiltration of terrorists became public on September 11th, 2001.²³⁷

Since that time, the government has grown the USBP through funding, “personnel, fencing and infrastructure, and surveillance technology.”²³⁸ The USBP has since established a four phase response to illegal immigration at home, dubbed, “*Operation Gatekeeper*, *Operation Safeguard*, *Operation Hold the Line*, and *Operation Rio Grande*.”²³⁹ These operations were all designed to combat smuggling and trafficking of people and narcotics. This resulted in an increase of personnel to handle the workload, and also included funding for advanced technologies to combat illegal immigration and trafficking.²⁴⁰ By the end of fiscal year 2014, the USBP had over twenty thousand agents, over eighty-five percent of which are operating on the southern border of the United States.²⁴¹

President Bush authorized the first major deployment of the National Guard to aid the USBP in their endeavor in 2006–2008, “when over 30,000 troops provided engineering, aviation, identification, technical, logistical, and administrative support to CBP as part of “Operation Jump Start.”²⁴² Two years later, President Obama authorized

²³⁶Congressional Research Service, *Border Security: Immigration Enforcement Between Ports of Entry*, 7–5700, www.crs.gov, R42138, 1, 9.

²³⁷*Ibid.*, 1, 9.

²³⁸*Ibid.*, 9.

²³⁹ *Ibid.*, 3.

²⁴⁰ *Ibid.*, 3.

²⁴¹ *Ibid.*, 14.

²⁴² *Ibid.*, 16–17.

the deployment of another 1,200 service members, primarily tasked to assist the DHS with aerial surveillance operations.²⁴³

The technological equipment used included a networked infrastructure of remote video surveillance systems and sensors. This included such technologies as infrared, seismic, magnetic, and thermal detectors, which when integrated through the Integrated Computer Assisted Detection (ICAD) database, could be monitored through a single remote Command Post by the USBP. Of particular interest to this thesis is the USBP use of aerial and maritime surveillance.²⁴⁴ According to CRS R42138, Border Patrol used both “manned and unmanned aircraft as well as marine vessels to conduct surveillance.” They used these platforms to cover areas that other ground sensors could not reach, “with unmanned aerial systems (UAS) deployed in areas considered too high-risk for manned aircraft or personnel on the ground.”²⁴⁵ The CRS report catalogs their efforts best, showing the breadth of effort used by these assets:

In FY2012, CBP’s Office of Air and Marine deployed 19 types of aircraft and three classes of marine vessels, for a total of 269 aircraft and 293 marine vessels operating from over 70 locations. The agency reported 81,045 flight hours (down from about 95,000 in FY2011) and 47,742 underway hours in marine vessels (down from about 133,000 in FY2011). As of November 2012, CBP operated a total of 10 UAS up from zero in 2006, including 2 UAS on the Northern border, 5 on the Southwest border, and 3 in the Gulf of Mexico. UAS accounted for 5,737 flight hours in FY2012, up from 4,406 hours in FY2011.²⁴⁶

In 2012, the DOD also provided additional support in the form of the Rapid Aerostat Initial Deployment (RAID). These blimps, along with ground sensors, are used by the U.S. military in other areas of the world for area surveillance. According to the report, the Border Patrol found these systems useful in their efforts to combat trafficking along the border.²⁴⁷

²⁴³Congressional Research Service, *Border Security: Immigration Enforcement between Ports of Entry*, 7–5700, www.crs.gov, R42138, 16–17.

²⁴⁴*Ibid.*, 18–19.

²⁴⁵*Ibid.*, 18–19.

²⁴⁶*Ibid.*, 18–19.

²⁴⁷*Ibid.*, 19–20.

3. Prosecution Cases

The positive effects of recent changes in policy allowed for greater inter-agency coordination and TIP prosecution opportunities. Further, these changes provided some quantifiable data and a measure of cases to examine effectiveness. These prosecutions also show that TIP is a regional and global problem, as many of the cases involve criminals and victims originating from Southeast Asia.

Roby et al., provide several examples of how the TVPA resulted in the prosecution of labor and sex trafficking criminals. The largest labor trafficking case in the United States to date was the 2001 *United States v. Kil Soo Lee*, in which, five people were charged with trafficking, and the leader sentenced to 40 years in prison. The article mentions that in this case, 250 Vietnamese and Chinese citizens were brought to work in a garment factory in American Samoa, most of which were women and children, “held in unsanitary conditions, threatened, beaten, and forced to work.”²⁴⁸ In another case involving labor in 2004, *United States v. Zavala*, two people were convicted of smuggling in Peruvian citizens, 13 of them children. These two charged the victims “enormous fee, confiscated their passports, threatened them and compelled them to work off their debts. The two criminals were fined heavily, and one imprisoned for 15 years.”²⁴⁹ The article mentions similar convictions in sex trafficking cases, including the 2002 *United States v. Jimenez-Calderon*, in which eight people were charged with bringing in Mexican girls into the United States for prostitution.²⁵⁰ The article states that these cases “provide illustrations of how the TVPA is being utilized to convict and punish violators, and further weakening trafficking networks.”²⁵¹

As Roby et al. show, the level of “the combined overall trafficking number of cases filed, defendants charged, and defendants prosecuted, have risen dramatically over

²⁴⁸Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 517–518, doi: 10.1080/15362940802480241, <http://dx.doi.org/10.1080/15362940802480241>.

²⁴⁹Ibid., 519.

²⁵⁰Ibid., 519.

²⁵¹Ibid., 519.

the last 10 years.”²⁵² In the two years from 2001 to 2003, the United States saw a roughly 40 percent increase in trafficking prosecutions, and a 50 percent increase in convictions.²⁵³ This research may prove valuable in evaluating how prosecutions are effected abroad, especially in Southeast Asia.

B. CURRENT U.S. EFFORTS IN SOUTHEAST ASIA

According to the 2015 NSS, “Profound cultural and demographic tensions, rising demand for resources, and rapid urbanization could reshape single countries and entire regions.”²⁵⁴ This statement suggests that the United States understands that socio-economic factors affect national security and regional stability. The report further claims that “in a complex world, many of the security problems we face do not lend themselves to quick and easy fixes. The United States will always defend our interests and uphold our commitments to allies and partners.”²⁵⁵

In July of last year, Scot Marciel, the Principal Deputy Assistant Secretary for the Bureau of East Asian and Pacific Affairs, testified before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs on the bureau’s efforts to combat TIP, specifically in the avenues of forced labor and slavery. In the testimony, he mentions several states and institutions within the region that this bureau of the DOS is working in conjunction with.²⁵⁶ A selection of these is discussed below to showcase how the United States coordinates with these different groups.

²⁵²Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 520, doi: 10.1080/15362940802480241, <http://dx.doi.org/10.1080/15362940802480241>.

²⁵³*Ibid.*, 513.

²⁵⁴United States National Security Strategy 2015, 8, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

²⁵⁵*Ibid.*, ii.

²⁵⁶*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

1. How the United States Works with IGOs and NGOs

The United States coordinates with IGOs such as ASEAN to combat trafficking through funding for awareness campaigns and training in the rule of law. At the sixth ASEAN Expert Group Meeting on Trafficking in Persons last year, the United States provided funding and coordinated support “working to create a regional plan of action.”²⁵⁷ Through this effort, the U.S. DOS encouraged “what became the first-ever ASEAN–United States joint regional project to combat human trafficking.”²⁵⁸ Specifically, through TIP Office funding, the American Bar Association’s Rule of Law Initiative began training “heads of specialized anti-trafficking units from all ten ASEAN member countries with ASEAN Secretariat support and enhance cross-border collaboration to combat human trafficking.”²⁵⁹

In Thailand, Marciel asserts that the United States is working in a multi-faceted approach, including NGOs, government, and law enforcement to combat trafficking. Through the Embassy in Bangkok, the United States is assisting NGOs with access to justice for migrants and trafficking victims. Through coordinated law enforcement efforts including the International Law Enforcement Academy, the United States is helping build “Thai capacity to investigate trafficking cases and prosecute perpetrators.”²⁶⁰

2. How the United States Works with State Governments

Roby et al. show how the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (PROTECT Act) engages the issue of trafficking committed outside the United States by a U.S. citizen. Through this act, it was finally made illegal to “engage or attempt to engage in illicit sexual activity with minors

²⁵⁷*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

²⁵⁸*Ibid.*

²⁵⁹*Ibid.*

²⁶⁰*Ibid.*

in other nations.”²⁶¹ By removing roadblocks such as the statute of limitations concerning child trafficking, the PROTECT Act was able to better prosecute cases, “resulting in 29 human trafficking cases filed (almost equaling the total number of cases filed in the previous three years combined); 59 defendants charged with human trafficking violations (the highest number ever recorded); and a record number of 43 convictions against traffickers (also the highest number ever recorded).”²⁶²

Within the Pacific Island chains, effort is being made to address trafficking aboard fishing vessels. Additionally, the United States is providing support to the Republic of the Marshall Islands (RMI) in drafting local TIP legislation, as well as a technical component to help them identify and prosecute TIP offenders. As Marciel claims, this kind of support to state governments “will bring long term success.”²⁶³

U.S. efforts in China are also ongoing, as Marciel states that the United States is working with the PRC government “to improve efforts to prosecute trafficking offenses and protect victims, make legal reforms to prohibit all forms of trafficking, end forced labor in state-sponsored detention centers, and transparently share information on its anti-trafficking efforts.”²⁶⁴

In addition to the NGO efforts mentioned earlier, the Embassy staff in Bangkok is also working to emplace advisors, such as in the Ministry of Labor. As Marciel states, “In Thailand and elsewhere, our ambassadors and embassy staff engage regularly with host government officials, local civil society organizations, and international partners to stress the importance of increasing efforts to combat sex and labor trafficking.”²⁶⁵ Additionally, Sarah Sewall remarks that U.S. interagency efforts with many states within the region,

²⁶¹Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 517–518, doi: <http://dx.doi.org/10.1080/15362940802480241>.

²⁶²*Ibid.*, 517–518.

²⁶³*Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific: Testimony Before the U.S. Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs*, 113th Cong., (2014) (statement of Scot Marciel, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs), <http://www.state.gov/p/eap/rls/rm/2014/07/228858.htm>.

²⁶⁴*Ibid.*

²⁶⁵*Ibid.*

has led to the training of “more than 1,700 law enforcement and consular officers, as well as locally employed staff, at overseas posts.”²⁶⁶

3. U.S. Efforts in Coordination with Guam.

The United States territory of Guam is becoming an increasingly visible part of U.S. interests in the region. Being a territory makes U.S. efforts to the island unique, as support and enforcement are accomplished in the context of U.S. law coordinating with local law. The territory is bound to U.S. law, but must also emplace its own legislation to accomplish some tasks that mirror U.S. policies. TIP regulations are one such example of this legislative dyad.

In May 2009, the Government of Guam officially established local TIP regulations, known as Public Law 30–26, written to uphold the provisions of the 13th Amendment of the U.S. Constitution, and further supporting the Trafficking Victims Protection Act of 2000.²⁶⁷ Under the new annotated code of Guam law Title 9, Chapter 26 Human Trafficking and Criminal Exploitation Act of 2009, Article 2, subsection 26.2, Task Force for Prevention of Trafficking, the law establishes that Guam shall create and maintain a Task Force to combat TIP, which includes the Office of the Attorney General, the Guam Police Department, and the Guam Homeland Security Office, among others. Additionally, one major added feature to the Guam law that goes beyond policies established in the United States is that unlike the TVPA, victims are not required to assist in the investigations of their captors.²⁶⁸

In 2011, the new Governor of Guam, Eddie Calvo, continued his support for the fight against human trafficking by establishing January as Guam’s Slavery and Trafficking Prevention Month, which complements the same practice in the Continental

²⁶⁶Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” January 13, 2015, <http://www.state.gov/j/remarks/235934.htm#>.

²⁶⁷Office of the Governor of Guam, Guam Legislation, I MINA ‘TRENTA NA LIHESLA TURAN GUAHAN, 2009 (FIRST) Regular Session Bill No. 36 (COR), 4, <http://www.hsph.harvard.edu/population/trafficking/guam.trafficking.09.pdf>.

²⁶⁸*Ibid.*, 15, 26.

United States.²⁶⁹ In his official statement, Proclamation no. 2011–002, the Governor declares that everyone from government and law enforcement officials to island residents must make themselves aware of human rights, and be educated on how to help. Additionally, he claims that officials will hold those responsible accountable for their crimes. This shows that the government remains consistent in their stated concerns of TIP in their territory, and should be used in consideration of U.S. efforts in the region.²⁷⁰

Guam also has non-profit NGOs that provide some services to victims of sexual assault and family violence, which may be a stepping stone for coordinating additional support for TIP victims specifically. The Guam Coalition Against Sexual Assault and Family Violence has several connections with faith-based organizations and other institutions, as well as partnership with the Department of Justice and other state entities. This organization could provide valuable resources to those combatting trafficking and be a force multiplier for the officially mandated task force.²⁷¹

4. Evaluating U.S. Efforts to Combat TIP in Southeast Asia

The United States has a vested interest in combating TIP in Southeast Asia. Evaluating the efforts currently taken by the United States to combat trafficking can gauge the effectiveness of policies, institutions, and the use of technology. Additionally, this may show avenues for improvement, or create the potential for discussion of new possible solutions.

The United States has developed policies for addressing TIP once traffickers or victims arrive on United States soil. These policies have shown results in combatting trafficking from a victim assistance and trafficker prosecution perspective. Additionally, there is a significant effort to combat trafficking along the border of the United States. The recent policies of the United States show a concern for trafficking in other regions, and Southeast Asia is a center of strategic focus. However, there is a lack of focus on

²⁶⁹Office of the Governor of Guam, Proclamation no. 2011–002, http://guamcoalition.org/pdf/proclamation_humantraf.pdf.

²⁷⁰Ibid.

²⁷¹Guam Coalition Against Sexual Assault and Family Violence (GCASAFV), http://guamcoalition.org/pdf/proclamation_humantraf.pdf.

combatting trafficking originating in Southeast Asia. To address this, there should be a clear method in policy for combatting these issues similar to the policy statements concerning trafficking coming from Latin America.

From an international perspective, there are efforts by the United States to assist regional state governments, such as through DOS efforts, the United States works with IGOs, NGOs, and state governments to development institutional frameworks better equipped to combat trafficking. However, there is little mention of U.S. military involvement in combatting trafficking in the region via policy or case study research.

The 2015 NSS claims that the United States will continue to combat the issues of immigration, human and drug trafficking, and transnational organized crime, at home and abroad. However, it does not delineate which methods or sources will be called upon specifically. The report instead simply declares that the United States plans to call upon the “unprecedented international cooperation” in relation to combatting DTO in Southeast Asia.²⁷²

As Guam is a central U.S. territory in the region, efforts to combat trafficking may be strengthened via coordination with current institutions on the island. However, this would require a shift in focus from current procedure, as Guam’s mandated TIP Task Force is only required to meet annually, and acts mostly as the training and requirements facilitating organization. Additionally, they are required to coordinate with NGOs, but not on a real-time basis.²⁷³ By enacting this legislation, Guam does a great deal for victim assistance, and services provided after the fact. Yet, to be effective against prevention, interdiction, and prosecution, the task force should be integrated with the U.S. Coast Guard and U.S. Naval forces Marianas Islands for support.

²⁷²United States National Security Strategy 2015, 13,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

²⁷³Office of the Governor of Guam, Guam Legislation, I MINA ‘TRENTA NA LIHESLA TURAN GUAHAN, 2009 (FIRST) Regular Session Bill No. 36 (COR), 15–18,
<http://www.hsph.harvard.edu/population/trafficking/guam.trafficking.09.pdf>.

C. GLOBAL U.S. EFFORTS

The United State Department of State has representatives in embassies across the globe working on TIP issues, just as we have discussed in Southeast Asia. However, United States efforts to combat TIP in a global context are primarily characterized by coordination with IGOs such as the UN and ASEAN via the provision of training, education, and funding. The United States uses these institutions as force multipliers in the fight against TIP. Through funding projects within these institutions, the United States hopes to achieve results in combatting TIP and allowing them to work regionally and globally.

As Sarah Sewall points out, there are efforts in place in every region to combat TIP. In one example, the war in Syria shows several links between elements of TIP such as weak governance, migration, refugees, poverty and instability and possible connections with terrorism as people are fleeing from violence with little resources, being made vulnerable to smugglers and traffickers.²⁷⁴ Through a combination of efforts between USAID and the DOS, Syrian refugees are being cared for. USAID is combatting trafficking via human rights efforts in Jordan by addressing “sexual and gender based violence, early marriage, and child labor among Syrian refugees and host communities affected by the Syrian crisis.”²⁷⁵ Additionally, the DOS is funding institutions like the International Centre for Migration Policy Development to assess “the impact of the Syrian war on trafficking in persons in Syria and the surrounding region (Iraq, Jordan, Lebanon, and Turkey).”²⁷⁶ As Sewall notes, the war in Syria has displayed more people “as refugees, asylum-seekers, and internally displaced people—than at any time since World War II.”²⁷⁷

²⁷⁴Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” January 13, 2015, <http://www.state.gov/j/remarks/235934.htm#>.

²⁷⁵Ibid.

²⁷⁶Ibid.

²⁷⁷Ibid.

D. CONCLUSION

This thesis argues that human trafficking affects U.S. national security and regional stability, specifically within Southeast Asia. Additionally, this thesis delineates what policies and efforts are currently in place to combat TIP. The United States Security Strategy sets the stage for combatting TIP, but has some shortcomings in direction. Transnational Organized Crime is shown to be at the center of all trafficking, and therefore should be a focus in the fight against human trafficking specifically. Some of the technological and law enforcement perspectives used in the United States open the discussion for possible use within Southeast Asia. Additionally, maritime security concerns have shown a weakness in the chain of U.S. efforts in combatting TIP in the region.

V. CONCLUSION

This chapter addresses the way ahead, including what could be changed legally, politically, and socially, in order to bring about changes that will address U.S. issues to national security and reduce the level of trafficking *en masse*. There are trends within the United States, as well as globally and regionally, that make combatting TIP a difficult challenge. Because of the implication of trafficking for U.S. national security, the United States should choose to increase regional measures to mitigate economic effects and government instability, reduce the elements that lead to vulnerable populations, and facilitate multilateral discussions that increase regional stability. There are certain connections to the United States within Southeast Asia to address, and finite resources or assets available to address them. This thesis lays the framework for discussion of TIP in Southeast Asia in connection to U.S. national security. Additionally, this thesis conclusion includes examples of assets that could potentially address trafficking in new ways.

A. TRENDS IN TIP

From the majority of institutions examined, the fight against TIP is a long term and cumbersome endeavor. The vast number of people affected, increasing synchronization of criminal organizations, and financial burden involved in combatting TIP, show this is not an easy problem to overcome. There is variation in statistical evidence, making trends or prediction exceedingly difficult. However, as the Walk Free Foundation claims, “Every country in the world apart from North Korea has laws that criminalize some form of slavery, yet most governments could do more to assist victims and root out slavery from supply chains.”²⁷⁸

²⁷⁸Palermo Protocol, “India tops slavery index with 14.3 million victims for second successive year,” Last modified November 26, 2014, <http://www.palermoprotocol.com/index.php/component/k2/item/3866-india-tops-slavery-index-with-143-million-victims-for-second-successive-year>.

1. Global Trends

The number of trafficking victims and cases vary from institutions and state governments as reporting methods differ, victims do not always provide information, and differences in trafficking versus smuggling are often conflated. As the 2014 UN Global Report on Trafficking in Persons states, “The question of the magnitude of the trafficking problem—that is, how many victims there are—is hotly debated as there is no methodologically sound available estimate.”²⁷⁹

According to the UNODC 2012 Global Report on Trafficking in Persons, the overall number of convictions has risen, and a quarter of the states polled “reported a marked increase in convictions.”²⁸⁰ Yet, these initial statements seem convoluted as the report also shows, “overall conviction rates continue to be low, data-collection remains a challenge, and 39 Member States still need to ratify the Trafficking in Persons Protocol.” Additionally, support for victims “remains inadequate,” due to a lack of program funding.²⁸¹ Roby et al. concur and assert that “data collection, research coordination, and program development are difficult to standardize.”²⁸²

From a perspective of scale, the numbers are large by any estimation, except the optimistic outlook from Free the Slaves claiming a low overall percentage. Yet, even FTS acknowledges there are between 21 to 36 million people enslaved worldwide.²⁸³ FTS further claims that slaves produce criminal organizations \$150 billion annually, presumably via slave sales and profits taken by traffickers from those in the forced labor and sex industry.²⁸⁴

²⁷⁹“Global Report on Trafficking in Persons 2014,” UNODC, 30.

²⁸⁰Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 509–510, doi: <http://dx.doi.org/10.1080/15362940802480241>.

²⁸¹UNODC, “General Assembly reviews efforts to combat human trafficking,” accessed on 7 February 2015, <http://www.unodc.org/unodc/en/frontpage/2013/May/general-assembly-reviews-efforts-to-combat-human-trafficking.html?ref=fs1>.

²⁸²Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 509–510, doi: <http://dx.doi.org/10.1080/15362940802480241>.

²⁸³Free the Slaves, last accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

²⁸⁴Ibid.

Roby et al. state that “human trafficking is reportedly the fastest growing international organized crime with annual worldwide revenue of \$9.5 billion and the third most lucrative underground business, next to arms and drugs.”²⁸⁵ While the article declares that estimates are unreliable, due to incongruent definitions of human trafficking, it does relate that the UNODC estimates show “four million human beings are annually trafficked globally, with 600,000 to 800,000 persons being trafficked across national borders.”²⁸⁶ Additional figures show the breakdown of estimated percentages as 80 percent of the TIP victims being female, half of which are under 18 years of age. The article also postulates that roughly 1.2 million victims are destined for sex trafficking annually.²⁸⁷

There are also trends showing progress is being made in some areas. When the UN General Assembly met in 2013, only 85 states were present to review the effectiveness of efforts to combat human trafficking. However, the assembly agreed that human trafficking is still a global issue affecting millions, and that although progress has been made, there is a need for increased coordination, as states should “engage more fully in the elaborated mechanisms of cooperation.”²⁸⁸ In showing the progress, UNODC Executive Director, Yury Fedotov stated that “today, 83 percent of countries have proper legislation to combat human trafficking, whereas in 2009.....this figure was only 60 per cent.”²⁸⁹

There is definitely a growing trend of awareness and a global decision that slavery and human trafficking should be stopped. As this awareness is growing, and policies are being emplaced by various states and NGOs, new methods of addressing TIP are being developed. Recently, UN Secretary-General Ban Ki-moon related a message for the

²⁸⁵Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 510, doi: <http://dx.doi.org/10.1080/15362940802480241>.

²⁸⁶Ibid.

²⁸⁷Ibid.

²⁸⁸UNODC General Assembly reviews efforts to combat human trafficking, accessed on 7 February 2015, <http://www.unodc.org/unodc/en/frontpage/2013/May/general-assembly-reviews-efforts-to-combat-human-trafficking.html?ref=fs1>.

²⁸⁹Ibid.

World Day of Social Justice. In his statement, the social justice focus is now specifically aimed at this topic, as he states,

This year's commemoration focuses on the scourge of human trafficking and the plight of approximately 21 million women, men and children in various forms of modern slavery. New instruments such as the International Labour Organization (ILO) Protocol and Recommendation on forced labour and human trafficking are helping to strengthen global efforts to punish perpetrators and end impunity.²⁹⁰

2. U.S. Trends

U.S. TIP numbers are consistent with global trends as “80 percent of those trafficked are believed to be women and girls, and approximately 70 percent of those are reportedly forced into sexual servitude.”²⁹¹ Their research also showed an estimated 14,500 to 17,000 TIP victims arrive annually to the United States. Roby et al. additionally mention that evidence collection efforts are still considerably undeveloped in the United States, just as they are in other states and institutions trying to ascertain information on victims of trafficking.²⁹²

Research by the FTS organization shows that the rough estimate of 17,500 people trafficked into the United States annually is also “about the same number of people who are murdered in America each year.”²⁹³ This is notable as they further claim that over 90 percent of murder cases are solved, but only one percent of slavery cases are solved. FTS attributes this to a lack of law enforcement capability as “only a handful of police departments have anyone assigned to human trafficking and slavery.”²⁹⁴ This further exemplifies the trend that policy declares TIP to be a fundamental issue, but institutional development and action have not caught up.

²⁹⁰UN Secretary-General Ban Ki-moon, “Stressing 21 Million People Are ‘Modern Slaves’, Secretary-General Urges Further Global Efforts to End Trafficking, in World Day for Social Justice Message,” <http://www.un.org/press/en/2015/sgsm16539.doc.htm>.

²⁹¹Jini L. Roby, Jennifer Turley and JoAnna Garrick Cloward, “U.S. Response to Human Trafficking: Is it enough?” *Journal of Immigrant and Refugee Studies*, 6, no. 4, (2008): 511, doi: 10.1080/15362940802480241, <http://dx.doi.org/10.1080/15362940802480241>.

²⁹²Ibid.

²⁹³Free the Slaves, last accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

²⁹⁴Ibid.

However, recent news reports seem to show that there is a growing trend in detection and prosecution within U.S. borders of transnational national criminals, which could be a sign of progress in the fight against TOC, at least on the U.S. homefront. In one Reuters news article, U.S. immigration officers reportedly arrested 2,059 international criminals.²⁹⁵ The report states that this bust was part of Operation Cross Check, which is the sixth Homeland Security operation of this kind in the last five years. From these arrests, at least 58 were “known gang members or affiliates and 89 convicted sex offenders.”²⁹⁶ Additionally, approximately half of the criminals were “convicted of felonies, including voluntary manslaughter, child pornography, robbery, kidnapping and rape.”²⁹⁷ This continues the trend of U.S. law enforcement efforts in conducting operations to detain, convict, and deport illegal aliens involved in violent crimes that correlate to TIP and TOC.

3. Southeast Asian Trends

Southeast Asian trends mirror that of other regions in many ways. For instance, the use of trafficked women in brothels is common practice across the globe, just as it is in this region. Research gathered by the FTS organization shows many states still have issues with corruption and trafficking. Using Japan as an example, they state that the government allows traffickers to acquire entertainer visas for trafficked women, and “once in massage parlors and brothels, local police take bribes to look the other way.”²⁹⁸ Additionally, the 2014 DOS Report shows growing trends in Japan involving the vulnerability of young girls to sex trafficking. The report relates two growing trends, such as “the phenomenon of *enjo kosai*, also known as ‘compensated dating,’ continues to facilitate the prostitution of Japanese children. In a recent trend called *joshi-kosei osanpo*,

²⁹⁵Ian Simpson, “U.S. Immigration Officers Arrest 2,059 Criminals in Sweep,” Reuters, Mar 9, 2015, <http://www.reuters.com/article/2015/03/09/us-usa-immigration-arrests-idUSKBN0M523R20150309>.

²⁹⁶Ibid.

²⁹⁷Ibid.

²⁹⁸Free the Slaves, last accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

also known as ‘high school walking,’ girls are offered money to accompany men on walks, in cafes, or to hotels, and engage in commercial sex.”²⁹⁹

One trend in Southeast Asia is that of trafficking in the fishing industry. According to the 2014 DOS Report, Cambodia and Thailand are an increasing source of this avenue for traffickers. The report shows Cambodian men found in forced labour on Thai-flagged vessels and states that “the number of Cambodians subjected to this form of exploitation is unknown, but local observers have expressed concern over the increasing trend of victims trafficked in the fishing industry. Cambodian victims escaping fishing industry traffickers have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, and South Africa.”³⁰⁰ The report also provides recommendations to each state on growing trends like this, such as their recommendation that Taiwan “update the national plan of action and guidelines to capture recent trafficking trends, such as abuses onboard fishing vessels.”³⁰¹

Another growing trend, especially in the developing states of Southeast Asia, is the prevalence of trafficking in the logging industry. The 2014 DOS Report relates several examples of this:

For example, Solomon Islands authorities reported a Malaysian logging company subjected Malaysians to trafficking-related abuse in 2012. Burmese military-linked logging operations have used villagers for forced labor. North Koreans are forced to work in the Russian logging industry under bilateral agreements. Migrant workers in logging camps in Pacific Island nations have forced children into marriage and the sex trade.³⁰²

There are several states in Southeast Asia that are still in the developing phase. As these states continue to develop, the United States should support government infrastructure and institutions that combat TIP and facilitate victim assistance.

²⁹⁹“Trafficking in Persons Report 2014,” U.S. Department of State, accessed March 15, 2015, 220, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

³⁰⁰Ibid., 120.

³⁰¹Ibid., 368.

³⁰²Ibid., 54.

B. TIP AND U.S. SECURITY INTERESTS IN SOUTHEAST ASIA

The issues discussed in this thesis show the forces working against U.S. interests at home and in Southeast Asia. These concerns display the need for a multi-faceted approach in solutions, as economic and governmental instability are interconnected with the level of vulnerability in the populations of Southeast Asia.

1. Factors Contributing to TIP

When considering efforts to combat trafficking in Southeast Asia, especially TIP, there are contributing factors as discussed in chapter II, including economic effects, government instability, vulnerable populations and regional instability that are road blocks to success. Each of these factors impacting TIP builds upon the effects of the others, and therefore should be addressed in such a manner that aims to break this chain, or knowingly addresses them in this context. Additionally, each of these elements is connected to organized crime networks through transportation, exploitation of vulnerable populations, and corruption in government and law enforcement. Therefore, TOC should be a focus of effort when considering methods of combatting TIP.

a. Economic Effects

Traffickers are a predominant force on the economy of states in Southeast Asia. Accordingly, TOC should be dealt with in order to improve the regional economy while also combatting TIP. Iwanenko et al. agree and state that along with the effects on U.S. interests, organized crime “causes irreparable damage to the world financial system by undermining legitimate markets.”³⁰³ Additionally, Iwanenko et al. add measurable data to show how much TOC effects the global economy, predominantly via losses in tax revenue. This cost can be directly correlated to negative impacts on state funded support to vulnerable populations. According to their article, “the World Bank estimates that about \$1 trillion are spent each year to bribe public officials. Additionally, United Nations estimates suggest that drug trade revenues may surpass \$400 billion annually,

³⁰³Derrick Iwanenko et al., “Strategic Approach to Combat Transnational Organized Crime,” InterAgency Paper no. 14W, November 2014, Arthur D. Simons Center for Interagency Cooperation, Fort Leavenworth, Kansas, 1.

placing drugs between the auto and oil industries as the planet's top earners.”³⁰⁴ Further, Douglas Fraser and Renee Novakoff claim that the various segments of TOC from drug trafficking to money laundering, equal a combined annual sum of “\$6.2 trillion—10 percent of the world's GDP.”³⁰⁵

As discussed earlier in this thesis, the NSS states that the United States will build strong trade relationships with partners within Southeast Asia. Additionally, by building institutional frameworks in the international banking community, the United States plans to bolster economic stability in the region. This is imperative as the regional economy affects regional stability, the factors of TIP, and U.S. national security interests in the region.

b. Government Instability

Sarah Sewall states that “international instability and state weakness are coming into focus as the next phase of the struggle against human slavery.”³⁰⁶ The international community has realized that this plays a significant role in trafficking, crime, economic growth, national security and regional stability. As Iwanenko et al. show, “Weak or failed states provide the permissive environments necessary for TOC to conduct illicit activities. TOC organizations not only migrate into weak states, but also actively seek to prevent strong governance by providing resources to opposition elements and fostering state corruption.”³⁰⁷ Therefore, IGOs and NGOs have decided that stability of governments is a vital area for concentration of efforts.

³⁰⁴Derrick Iwanenko et al., “Strategic Approach to Combat Transnational Organized Crime,” InterAgency Paper no. 14W, November 2014, Arthur D. Simons Center for Interagency Cooperation, Fort Leavenworth, Kansas, 1.

³⁰⁵Douglas M. Fraser and Renee P. Novakoff, “Confronting Transnational Organized Crime: Getting It Right to Forestall a New National Security Threat,” *Joint Forces Quarterly* 69, (April 2013), 35, http://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-69/JFQ-69_34-38_Fraser-Novakoff.pdf.

³⁰⁶Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” (Washington, DC, January 13, 2015,) <http://www.state.gov/j/remarks/235934.htm#>.

³⁰⁷Derrick Iwanenko et al., “Strategic Approach to Combat Transnational Organized Crime,” InterAgency Paper no. 14W, November 2014, Arthur D. Simons Center for Interagency Cooperation, Fort Leavenworth, Kansas, 1–2.

The 2010 NSS states that the “The United States must improve its capability to strengthen the security of states at risk of conflict and violence. We will undertake long-term, sustained efforts to strengthen the capacity of security forces to guarantee internal security, defend against external threats, and promote regional security and respect for human rights and the rule of law.”³⁰⁸

c. *Vulnerable Populations*

Vulnerable populations are ripe for smugglers and traffickers to ensnare. As Sarah Sewall declares, “While human trafficking is a problem in every country, we have seen how traffickers take advantage of conflict, the collapse of state institutions, allied criminal networks, and even natural disasters to prey on and exploit vulnerable civilians.”³⁰⁹ As this thesis has shown, vulnerable people often end up in the world of trafficking and smuggling. Additionally, remittance and money raised through TIP, bolsters other avenues of trafficking.

There are several institutions that seek to assist vulnerable populations, including Free The Slaves and the International Organization for Migration, which were previously discussed in this thesis. Another avenue of addressing vulnerable populations is to attack the TOC that seek to take advantage of these people. As Douglas Fraser and Renee Novakoff relate that effectively requires states to commit “to build the capacity of their law enforcement, judicial, and penal organizations.”³¹⁰

Additionally, vulnerable populations are shown to be prevalent in failing developing states, where there are natural disasters, corruption, and poverty. This thesis determines that these issues are important and well-discussed in the international community. However, these efforts should be in concert with efforts to combat TIP via combatting organized crime in Southeast Asia, which is far less discussed.

³⁰⁸United States National Security Strategy 2010, 27,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

³⁰⁹Sarah Sewall, “Fragile States, Vulnerable People: The Human Trafficking Dimension,” (Washington, DC, January 13, 2015,) <http://www.state.gov/j/remarks/235934.htm#>.

³¹⁰Douglas M. Fraser and Renee P. Novakoff, “Confronting Transnational Organized Crime: Getting It Right to Forestall a New National Security Threat,” *Joint Forces Quarterly* 69, (April 2013), 36,
http://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-69/JFQ-69_34-38_Fraser-Novakoff.pdf.

d. Regional Stability

This thesis shows that TIP affects regional stability in Southeast Asia. As the 2014 UN Global Report on TIP states, “As a destination of trafficking, South Asian countries are mainly affected by domestic trafficking or trafficking from the neighboring countries.”³¹¹ This means that TIP is a phenomenon that should be addressed internally in order to improve regional stability.

Regional stability is directly linked to the national interests of the United States as previously shown. The United States should address the elements related to trafficking, in order to effectively combat TIP in the context of regional stability. Douglas Fraser and Renee Novakoff show that “understanding the varied political landscape (the human terrain) of the hemisphere is also important as geopolitical fragility opens the way for gangs and cartels to further destabilize civil life.”³¹²

C. RECOMMENDATIONS FOR THE UNITED STATES

This thesis finds that the United States has made significant strides to combat trafficking within its borders, specifically through policies that address women and children. Additionally, the United States has made substantial efforts emplaced via international institutions such as the UN, and through the U.S. DOS partnering with state governments and NGOs. However, this thesis also concludes there are several opportunities to recommend potential improvements. This is especially true when focusing on U.S. efforts in Southeast Asia, as the United States is currently changing the focus of effort diplomatically and militarily to this region.

³¹¹“Global Report on Trafficking in Persons 2014,” UNODC, 77.

³¹²Douglas M. Fraser and Renee P. Novakoff, “Confronting Transnational Organized Crime: Getting It Right to Forestall a New National Security Threat,” *Joint Forces Quarterly* 69, (April 2013), 36, http://ndupress.ndu.edu/Portals/68/Documents/jfq/jfq-69/JFQ-69_34-38_Fraser-Novakoff.pdf.

1. Potential Solutions

There are underutilized assets that hold potential capabilities for combatting TIP. Potential solutions include policy changes, possible assets, the use of regional TIP efforts as a tool for soft power, as well as the discussion of potential for a Joint Task Force being used in conjunction with the U.S. Navy on a forward operating area such as Guam.

a. Policy Changes

As the center of effort for the United States security strategy is moving to the Pacific and Southeast Asia, the NSS should clearly state how and with whom we will focus efforts to combat trafficking, support regional stability, and address U.S. interests in the region. There is little mention of specific policy or military objectives concerning TIP in Southeast Asia. Instead, this is another area that is wrapped into a blanket statement for several topics, stating that the United States will counter piracy and narcotics trafficking by building on the “unprecedented international cooperation of the last few years...[and] across Southeast Asia.”³¹³

The United States strategic principles concerning trafficking, piracy, and transnational organized crime should change in order to better meet the needs of our security interests as a state. To wit, the NSS could improve by showing emphasis on these issues not just in Latin America or the Horn of Africa, but in Southeast Asia specifically. Additionally, these sections should show clearly our strategy plans to combat these issues as a state and not just in conjunction with international institutions. The principle of regional stability through economic stability is addressed. However, to increase focus on partnerships, specific institutions could be added to this topic as they are in other areas of the NSS.

From a policy perspective, in order to improve current efforts, the United States should increase focus, funding, and unity of effort. For instance, the 2014 Quadrennial Defense Review notes that the Asia-Pacific region is the new regional focus for United States for the foreseeable future. In doing so, the QDR claims that “the United States will

³¹³United States National Security Strategy 2015, 13,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

maintain a robust footprint in Northeast Asia while enhancing our presence in Oceania, Southeast Asia, and the Indian Ocean.”³¹⁴ To accomplish this plan, the DOD intends to have 60 percent of U.S. Navy assets stationed in the Pacific by 2020. Yet, the focus is predominantly on maintaining freedom of navigation and supporting allies in response to the growing threat from China. The only place that the QDR mentions working with international partnerships to combat narcotics and organized crime is in Latin America.³¹⁵ This shows the obvious lack of mandated attention to trafficking and organized crime that the DOD has in the Pacific.

b. Assets

There are certain assets at the disposal of the United States already in the region. The IOM claims that “Connectivity to sources, preferably real-time, should be considered as a high-priority for countries looking to strengthen their border management systems.”³¹⁶ Yet, as Iwanenko et al. discuss, “there is limited motivation to commit these scarce resources or re-task resources to focus on transnational criminal organizations.”³¹⁷ Therefore, in conjunction with policy changes, the United States should make efficient use of its advanced technologies and military forces in a multifunction capacity to combat trafficking.

(1) ISR

According to the QDR, through the use of Intelligence, Surveillance, and Reconnaissance (ISR), “Timely, accurate information about operational and tactical situations is essential to the effective accomplishment of any military mission.”³¹⁸ The

³¹⁴U.S. Department of Defense, Quadrennial Defense Review, 2014, 34, 36, http://www.defense.gov/pubs/2014_Quadrennial_Defense_Review.pdf.

³¹⁵Ibid., 34, 36.

³¹⁶International Organization for Migration, “Regional Strategy for Asia and the Pacific 2012–2015,” accessed March 16 2015, 20, <http://www.iom.int/cms/countertrafficking/IOM-AUP00548-RO-Bangkok-Regional-Strategy.pdf>.

³¹⁷Derrick Iwanenko et al., “Strategic Approach to Combat Transnational Organized Crime,” InterAgency Paper no. 14W, November 2014, Arthur D. Simons Center for Interagency Cooperation, Fort Leavenworth, Kansas, 4.

³¹⁸U.S. Department of Defense, Quadrennial Defense Review, 2014, 38, http://www.defense.gov/pubs/2014_Quadrennial_Defense_Review.pdf.

QDR further states that the DOD intends to use ISR for counterterrorism, and plans to increase the range of airborne assets, implement better sensors, and “increase the use and integration of unmanned aerial systems.”³¹⁹ Focusing this ISR directive on Southeast Asia could combine current military Priority Intelligence Requirements with potential applications for combatting TIP as well.

The 2010 NSS states that U.S. national defense is dependent upon timely and accurate intelligence. Furthermore, the report specifically claims that the United States will bolster “partnerships with foreign intelligence services.”³²⁰ Through working with foreign intelligence services, the United States could potentially find, track, and prosecute TOC in action. This approach could save millions of dollars to the United States and its partners, as well as saving countless lives.

Furthermore, research from FTS shows how the UN uses its satellite imagery capabilities to combat trafficking. The FTS organization provides an example from Brazil, in which imagery is used to find “distinctive beehive shapes of the charcoal ovens” in remote rural areas where slaves are cutting down trees.³²¹ By providing this same service in Southeast Asia, potential traffickers could be tracked and interdicted in coordination with other assets, such as regional naval and coast guard units.

With an increase in satellite, and unmanned surveillance (via air and sea), many potential trafficking victims can be saved before landing on United States soil. Additionally, as budget concerns increase, many of these assets may already be in use or development for tracking illicit shipping and enemy combatants in the region. Therefore, there is a reduced need to begin new projects or create new platforms, exclusively for trafficking.

The United States has a plethora of assets that can be used in a nonconventional way. Some of the technology that is used in combat could be used in a policing context.

³¹⁹U.S. Department of Defense, Quadrennial Defense Review, 2014, 38, http://www.defense.gov/pubs/2014_Quadrennial_Defense_Review.pdf.

³²⁰United States National Security Strategy 2010, 15–16, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

³²¹Free the Slaves, last accessed February 21, 2015, <https://www.freetheslaves.net/page.aspx?pid=375>.

For examples, blimps were used in Afghanistan for combat early warning and reconnaissance, but border patrol also used them in a policing function on the border to combat illegal immigration and trafficking.

In Afghanistan in 2009–2010, aerostats were used as part of what the military calls a Common Operating Picture within a Joint Operations Center. The aerostats were used in Afghanistan to provide ISR for ongoing missions, including safety of convoys, early warning of an attack, and battle damage assessments. This technology is being improved upon to include strategic values, such as ballistic missile defense capabilities of the Joint Land attack Cruise Missile (JLENS) aerostat system.³²² Although aerostat use in a noncombat, permissive civilian environment of an allied state may be unlikely in the near future, one could be placed on a U.S. territory such as Guam. This would be a strategic national asset that could serve several additional purposes, such as tracking maritime vessels suspected of trafficking. This example shows that technologies such as imagery platforms can be valuable tools with flexibility in use for a Joint Task Force.

(2) U.S. Navy

The Pacific Fleet currently has 84 ships available, including 6 Littoral Combat Ships, 2 Frigates and 35 Destroyers—all valuable platforms which could be used in tertiary roles including trafficking detection and interdiction in Southeast Asia. There are at least 28 ships home ported in Yokosuka and Sasebo, Japan or Pearl Harbor, HI.³²³

As Guam is a pivotal U.S. port for refueling and port visits, trafficking operations could be added to a vessel's tasking as the ship passes through the waters of the Western Pacific and Southeast Asia. For example, this tasking could have been added to the George Washington Strike Group en route to their recent visit to Guam.³²⁴ Additionally,

³²²JLENS: Co-ordinating Cruise Missile Defense – And More, accessed 6 March 2015, <http://www.defenseindustrydaily.com/jlens-coordinating-cruise-missile-defense-and-more-02921/>.

³²³Navy Public Site, accessed 8 March 2015, <http://www.public.navy.mil/surfor/Pages/USNavyPacificFleetShipsbyClass.aspx>.

³²⁴Beverly J. Lesonik, USS George Washington Public Affairs, George Washington Strike Group Arrives in Guam, accessed 8 March 2015, <http://www.public.navy.mil/surfor/ccsg5/Pages/george-washington-strike-group-arrives-in-guam.aspx>.

LCS-3 visited Guam recently.³²⁵ As one of the U.S. Navy's newest and most technologically capable vessels, it has the unique ability of being able to operate in shallow water areas. Although there are several constraints of operating within the territorial waters of another state, an allied government could grant access to such operations as part of a joint effort to combat TIP.

(3) U.S. Coast Guard

The U.S. Coast Guard has recently increased from one to currently three Coast Guard Cutters and roughly 350 personnel stationed in on Guam.³²⁶ Yet, these vessels are busy with many operations such as large oil tankers running aground on nearby islands, close to unexploded ordinance.³²⁷ With an increase in vessels and personnel, possibly as a rotational increase from HI, the Coast Guard may be able to better address trafficking issue from a maritime perspective. Most Southeast Asian trafficking victims are transported via shipping and fishing vessels within the region. The USCG is distinctively fitted to this purpose, as mentioned in a testimony before the congressional Committee on Homeland Security and Governmental Affairs, which states the USCG has “a unique position to detect trafficking...on the high seas.”³²⁸

Accordingly, the USCG report states that the organization focuses on three factors, “understanding networks and fostering network culture; identifying networks; and targeting and prosecuting networks.” To accomplish this vision, they intend to foster CG partnerships and increase their TOC network, as well as develop “enhanced

³²⁵Antonio P. Turretto Ramos, USS Fort Worth (LCS 3) Stops in Guam En Route to Southeast Asia, accessed 8 March 2015, <http://www.public.navy.mil/surfor/lcs3/Pages/uss-fort-worth-lcs-3-stops-in-guam-en-route-to-southeast-asia.aspx>.

³²⁶U.S. Coast Guard Fact Sheet, <http://www.uscg.mil/publicaffairs/statedatasheets/GUAM.pdf>.

³²⁷“Container ship goes aground entering the port of Saipan,” Office of Public Affairs, U.S. Coast Guard Sector Guam, <http://guam.stripes.com/news/container-ship-goes-aground-entering-port-saipan>.

³²⁸Joint testimony of Alice Hill Chair, Blue Campaign U.S. Department of Homeland Security and James Dinkins Executive Associate Director Homeland Security Investigations Immigration and Customs Enforcement U.S. Department of Homeland Security before the Committee on Homeland Security and Governmental Affairs United States Senate “Combating Human Trafficking: Federal, State, and Local Perspectives,” accessed 8 March 2015, <http://www.ice.gov/doclib/news/library/speeches/130923hill-dinkins.pdf>.

intelligence.”³²⁹ However, the USCG lacks the necessary resources in the region to effectively combat trafficking. Additionally, when used in conjunction with U.S. Navy and Air Force assets as seen in the Philippine example in this thesis, combatting TIP could be better addressed. The USCG could also work with other state CG entities in the region to combat TIP.

c. Soft Power

The 2010 NSS laid the groundwork for the argument of regional benevolence as it applies to soft power. According to the report, under the section entitled Strategic Communications, it states: “Across all of our efforts, effective strategic communications are essential to sustaining global legitimacy and supporting our policy aims. Aligning our actions with our words is a shared responsibility that must be fostered by a culture of communication throughout government.”³³⁰ As the United States policy states it will combat TIP in the region, this may be an avenue for U.S. Navy involvement that has not been taken advantage of hereto.

One possible element of soft power is the decisive application of aid. The AIC mentions that Australia is known for its regional role, partly due to its annual aid contributions of roughly one billion dollars to vulnerable migrants. Some success is also seen by developing government programs designed to remove the motivation or need to enter a territory illegally.

The available evidence suggests that trafficking within or into the Pacific Island region, particularly from Asia, is a greater risk than the trafficking of persons from the region into Australia. This is, in part, due to Australia’s strong border and immigration controls. These controls are complemented by recent initiatives such as the Pacific Seasonal Workers

³²⁹The U.S. Coast Guard’s Vision for Operating in the Western Hemisphere: Ensuring a Secure Nation, Prosperous Markets, and Thriving Oceans, 10, http://www.uscg.mil/seniorleadership/docs/uscg_whem_2014.pdf.

³³⁰United States National Security Strategy 2010, 16, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.

Pilot Scheme, which allows individuals from the region to gain temporary workers rights in Australia.³³¹

Another possible tool of soft power is the application of military forces to combat trafficking within Southeast Asia. As the United States is portraying itself as a global force for good, it could use U.S. military assists to combat TIP as it does in other areas such as humanitarian assistance and disaster relief (HA/DR). The U.S. Pacific Command (PACOM) already has multiagency and multinational efforts in HA/DR, as Michael Ritchie, the director of the PACOM Pacific Outreach Directorate shows in a statement concerning the Pacific Partnership Humanitarian and Civic Assistance Mission, which includes “military and civilian experts from the United States, four host nations, 11 partner nations and two dozen U.S. and international NGOs.”³³² This mission is specifically designed to strengthen state capacity of response to natural disasters for Southeast Asian states. This mission affects vulnerable populations and other elements of TIP indirectly. However, as an example of possible solutions, this type of military mission combined with civilian institutions could also be used to build a task force specifically designed to combat trafficking and using available ships and air assets for interdiction and deterrence.

d. Guam

Little research has been conducted to examine the possibility that Guam could be the cornerstone of TIP in Southeast Asia or the Western Pacific. Instead, the island is usually only recognized for being the source of only a minor portion of the total trafficking in the region. However, being unique as a U.S. territory in Southeast Asia, Guam may prove to be a lynchpin for focusing U.S. sponsored solutions in the region. Most of the islands of Polynesia and Micronesia offer access to the United States via easy immigration and travel visas. Additionally, as this region is becoming the center of focus

³³¹Jade Lindley and Laura Beacroft, “Vulnerabilities to trafficking in persons in the Pacific Islands,” *Trends and Issues in Crime and Criminal Justice*, no. 428, (Nov 2011): 2, http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi428.pdf.

³³²Donna Miles, “PACOM: Asia-Pacific Focus Represents ‘Whole of Government’ Rebalance,” *American Forces Press Service*, accessed 6 March 2015, <http://www.defense.gov/news/newsarticle.aspx?id=117399>.

for United States strategic goals, Guam is seeing increased military buildup, so this is an opportune time to develop a plan of action that includes TIP.

(1) U.S. Joint Task Force

A stronger connection could be established between government, and law enforcement agencies, and DOD entities in the region. This relationship would further U.S. national security and its interests in the region, whether in a single interagency task force under the umbrella of PACOM, or in some other hybrid form. If a Joint Interagency Task Force (JIATF) were created on Guam, necessary resources could be focused to simultaneously obtain multiple Priority Intelligence Requirements that include combat support, anti-trafficking, anti-piracy, and Search and Rescue using the same platforms. A similar fusion technique is currently used in geographic Combatant Commands, such as the United States Central Command (CENTCOM) via the Combined Air Operations Center, which takes tasking from policy-makers and applies the appropriate platforms to fill the mission requirements. Through this method, ISR and military resources are used to monitor movements of adversaries, TOC, and other interested parties simultaneously.³³³

(2) JIATF

Evan Munsing and Christopher Lamb agree that current national security challenges require a “whole of government” approach involving improved interagency coordination.³³⁴ They also reiterate that this is stated in U.S. government policy and many other reports. Yet, as they go on to state, agencies lack the capacity to foster such actions and that further research is necessary as, “research on interagency teams per se is rare, and there is little effort by the national security system to codify lessons learned

³³³United States Central Command (CENTCOM), Combined Air Operations Center, accessed 6 March 2015, <http://www.afcent.af.mil/AboutUs/FactSheets/Display/tabid/140/Article/217803/combined-air-and-space-operations-center-caoc.aspx>.

³³⁴Evan Munsing and Christopher J. Lamb, “Joint Interagency Task Force–South: The Best Known, Least Understood Interagency Success,” *Institute for National Strategic Studies Strategic Perspectives*, no. 5, (National Defense University Press: Washington, DC, June 2011), 4, www.ndu.edu/inss.

from interagency team experience.”³³⁵ This is compelling as their article additionally mentions that “it is widely acknowledged that interagency collaboration within the U.S. Government needs to improve and that interagency teams are a promising means toward that end.”³³⁶

When examining possible solutions in the fight against trafficking in Southeast Asia, there is a strong argument for the formation, or extension of a Joint Task Force that includes DOD assets, and potentially international partners. Two examples examined here are the Joint Interagency Task Force –South and West. The originating task force, JIATF-S, is a cross-functional team consisting of “the 4 branches of the military, 9 different agencies, and 11 partner nations.”³³⁷ From there efforts grew, and success missions proved the idea, until the missions were expanded to form a JIATF-West. The newer JIATF-W functions similarly, combatting TOC in the Asia-Pacific region. According to the Simons Center, JIATF-W has a specific method of combatting DTOs, “focusing on the precursor chemicals that are used to produce methamphetamine.”³³⁸ This is important as these chemicals are transported via cargo vessels from China, taken to Latin America, and then trafficked north to the United States.

According to Munsing and Lamb, in recent history JIATF-S “accounted for more than 40 percent of global cocaine interdiction.”³³⁹ This includes roughly 220 tons of cocaine, as compared with only 40 tons disrupted by all other U.S. government entities combined.³⁴⁰ The statistics presented in their article further show the effectiveness of having such as coordination. The report states, “Over the past 20 years, the same organization has arrested some 4,600 traffickers, captured nearly 1,100 vessels, and

³³⁵Evan Munsing and Christopher J. Lamb, “Joint Interagency Task Force–South: The Best Known, Least Understood Interagency Success,” *Institute for National Strategic Studies Strategic Perspectives*, no. 5, (National Defense University Press: Washington, D.C., June 2011), 4, www.ndu.edu/inss.

³³⁶*Ibid.*, 4.

³³⁷*Ibid.*, 5.

³³⁸“Countertrafficking Efforts at JIATF West,” Arthur D. Simons Center for Interagency Cooperation, (Command and General Staff College Foundation, Inc., 2010), <http://thesimonscenter.org/countertrafficking-efforts-at-jiatf-west/>.

³³⁹Evan Munsing and Christopher J. Lamb, “Joint Interagency Task Force–South: The Best Known, Least Understood Interagency Success,” *Institute for National Strategic Studies Strategic Perspectives*, no. 5, (National Defense University Press: Washington, D.C., June 2011), 3, www.ndu.edu/inss.

³⁴⁰*Ibid.*, 3.

deprived drug cartels of \$190 billion in profits...a matchless operational success.”³⁴¹ For this reason, JIATF-S has been dubbed the “‘gold standard’ and ‘crown jewel’ of interagency cooperation and intelligence fusion.”³⁴²

According to Rear Admiral Charles Michel, the Director of the Joint Interagency Task Force South (JIATF-South) “The overall significant decrease in movement indicates an impact on the traffickers caused by the presence of U.S. ships and aircraft, the efforts of our law enforcement partners and those of our allies and partner nations in the region.”³⁴³

The JIATF model shows the need for DOD integration into the law enforcement fight against trafficking. As Munsing and Lamb relate, “support of DOD for counterdrug operations ... was huge compared to the much more limited resources available to civilian law enforcement agencies. The expensive and sophisticated electronic command, control, and intelligence systems, aircraft, and ships that DOD provided greatly improved interdiction capabilities.”³⁴⁴ As there is a significant U.S. Navy focus on the Asia–Pacific region, this model is appropriate for the focus of effort against TIP in the region.

Another area that is beneficial to the argument is that of increased intelligence capabilities. As Munsing and Lamb describe, intelligence fusion allows JIATF-S to produce “tactical products that operators could use to great effect.”³⁴⁵ The JIATFs have multiple intelligence collection assets at their disposal. This includes Command Centers that can track aircraft and have imagery exploitation cells.³⁴⁶

³⁴¹Evan Munsing and Christopher J. Lamb, “Joint Interagency Task Force–South: The Best Known, Least Understood Interagency Success,” *Institute for National Strategic Studies Strategic Perspectives*, no. 5, (National Defense University Press: Washington, D.C., June 2011), 3, www.ndu.edu/inss.

³⁴²*Ibid.*, 3.

³⁴³*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 6.

³⁴⁴Evan Munsing and Christopher J. Lamb, “Joint Interagency Task Force–South: The Best Known, Least Understood Interagency Success,” *Institute for National Strategic Studies Strategic Perspectives*, no. 5, (National Defense University Press: Washington, D.C., June 2011), 16, www.ndu.edu/inss.

³⁴⁵*Ibid.*, 24.

³⁴⁶*Ibid.*, 24.

The proposal of a JIATF establishment on Guam to increase effective trafficking efforts in Southeast Asia also carries potential additional benefits, such as an avenue for interagency funded technology testing. This has shown to be a symbiotic relationship in which the funding agency receives free testing of new equipment, and the JIATF gets cutting edge technology to aid in the fight against trafficking. Munsing and Lamb show the breadth of possible relationships of both law enforcement and DOD stating, “The National Security Agency, National Reconnaissance Office, National Geospatial-Intelligence Agency, and Central Intelligence Agency have designated it a ‘tactical live environment test bed to test and evaluate current and emerging technologies against highly mobile dark asymmetrical threats...an ideal nonlethal environment for experimenting with “anything and everything DOD might want.”³⁴⁷

According to Admiral Michel, the JIATF concept has inherent strengths and weaknesses. As he states, “the principal impediment to successful detection and monitoring is the lack of the necessary sensors to generate persistent wide area surveillance and precision geolocation.”³⁴⁸ With the increase of supplied technologies for field testing and the addition of DOD resources, a Southeast Asian model could overcome a great deal of this potential weakness. Conversely, he also shows the JIATF strength as, “the national and international unity of effort found within our command spans geographical and functional boundaries, bringing with it operational efficiencies and critical capabilities.”³⁴⁹

One even newer approach is the JIATF-South Command Center, which includes 13 partner states from Europe and Latin America, in conjunction with U.S. intelligence agencies consisting of “the CIA, the Defense Intelligence Agency, the National Geospatial Intelligence Agency, the National Reconnaissance Office and the National

³⁴⁷Evan Munsing and Christopher J. Lamb, “Joint Interagency Task Force–South: The Best Known, Least Understood Interagency Success,” *Institute for National Strategic Studies Strategic Perspectives*, no. 5, (National Defense University Press: Washington, D.C., June 2011), 38, www.ndu.edu/inss.

³⁴⁸*Threats to the Homeland: DHS’s Response to Innovative Tactics and Techniques*, June 19, 2012, (written Statement of Rear Admiral Charles Michel, Director Joint Interagency Task Force South (JIATF-South), Before the Subcommittee on Border and Maritime Security, House Committee on Homeland Security: Hearing on Border Security), 6.

³⁴⁹*Ibid.*, 6.

Security Agency.”³⁵⁰ As Deputy Defense Secretary William Lynn states, the center will “move the fight against illicit traffickers to a new level...to come up with a better way to be even more effective in countering the illicit traffickers.” The result, Lynn claims “is the first of its kind anywhere, and represents the very best way we know how to conduct the fight against illicit traffickers.”³⁵¹

Overall, the JIATF concept has proven to be a valuable tool for combatting transnational organized crime, especially in connection with drug trafficking. Additionally, this approach fosters multi-agency cooperation, and strengthens partnerships with international allies. With the added benefit of DOD corroboration and new technology, there is strong potential that this could be a beneficial approach to the problem of trafficking in Southeast Asia.

D. SUMMARY

This thesis has detailed the challenges that trafficking creates for societies and governments writ large. Some of these challenges are being addressed, but will take time to see progress. Other areas could use fresh perspective, which this thesis has highlighted through possible changes in policy, increased use of assets, and military synchronization.

The answer to combatting TIP effectively should focus on attacking human trafficking at the source, emphasizing early detection of smuggling and trafficking, and increasing penalties on those responsible as well as those people who abuse victims. There are several gaps in scholarly literature that should be addressed, and further research conducted to understand exactly how TIP can relate to U.S. national security in Southeast Asia. There are national security issues addressed in the areas of global cooperation, regional stability, economic improvement, and misuse of current institutional frameworks. Yet, this is especially true in examining the potential movement of terrorists.

³⁵⁰Cheryl Pellerin, American Forces Press Service Defense.gov News Article: Lynn Opens Countertrafficking Command Center, 18 April 2011, 1.

³⁵¹Ibid., 2.

This thesis also argues that TIP affects regional stability economically, including remittances contributing to the funding of trafficking. The movement of large volumes of undocumented persons, including refugees and those smuggled or trafficked for sex and labor, has a detrimental effect on regional stability, which in turn affects U.S. national interests in the region. Additionally, this thesis finds that TIP affects U.S. national security from a homeland defense perspective, including the flow of trafficked persons into the United States in connection with TOC. There are also indications of the under discussed potential for terrorists to infiltrate our borders these means. Along with the direct security threats, TIP is also an economic burden, and affects public health, transnational organized crime, and several other security factors.

By combatting TIP, the United States can ensure regional interests are maintained, as well as address national security issues. The United States already claims in several policy documents that it intends to combat trafficking of every kind, including trafficking in persons specifically. Additionally, the United States shows in the majority of these documents that the Asia-Pacific region will be the area of focus diplomatically, institutionally, economically, and militarily for the foreseeable future. The disconnect lies in the application of required coordination in the effort to combat trafficking in the region. The stated policies and goals of the United States to combat trafficking in the region have yet to be built upon in the manner required to address the issue properly.

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